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GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Encl

Part B for

SUBJECT.

Original of the Police Manual

Vol III

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GENERAL AND REVENUE SECRETARIAT.

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Mysore Police Manual
Vol III original

From

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BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

GPB—20,000—3-2-14

VOLUME.III.

Special and Local Laws, and
the Rules framed thereunder.

Preface.

This volume contains full texts of or extracts from all Special and Local Laws and the Rules framed thereunder, a knowledge of which is essential on the part of Police Officers for the effective discharge of their duties. In preparing this collection every attempt has been made to include in it, provisions relating to all offences under any act punishable with imprisonment for 3 years and upwards, as they are made cognizable by the Police under Schedule II of the Criminal Procedure Code.

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16.		The Mysore Weights and Measures Regulation III of 1902 (full text) together with the rules thereunder (full text).

17. 5213 The Mysore Registration Regulation No.I of 1903.(Extracts).

18. 9 The Mysore Tramways Regulation No.II of 1906. (Extracts).

19. 4425 The Mysore Municipal Regulation No.VII of 1906. (Extracts).

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21. The Mysore Police Regulation. No.V of 1908. (full text).

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23. The Mysore Limitation Regulation No.IV of 1911. (Extracts).

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34. The Emergency Legislation Continuance Regulation No.II of 1915. (full text).

35. The Defence of India Regulation No.I of 1918 (full text) together with the Defence of India (Criminal Law amendment) Act IV of 1915. (full text).

ACT No. I OF 1871.

As amended by Regulation VIII of 1892.

THE CATTLE TRESPASS ACT, 1871, AS AMENDED BY REGULATION VIII, 1892.

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3. In this Act—

Interpretation-clause.

'Officer of Police' includes also Village Watchman, and 'Cattle' includes also elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats, and kids; and 'Local authority' means any body of persons for the time being invested by law with the control and administration of any matters within a specified local area, and 'Local fund' means any fund under the control or management of a local authority.

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Pound-keepers to be 'public servants.'

Every pound-keeper shall be deemed a public servant within the meaning of the Indian Penal Code.

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10. The cultivator or occupier of any land, or any person who has advanced cash for the cultivation of the crop or produce on any land,

Cattle damaging land.

or the vendee or mortgagee of such crop or produce, or any part thereof,

may seize or cause to be seized any cattle trespassing on such land and doing damage thereto or to any crop or produce thereon, and send them or cause them to be sent within twenty-four hours to the pound established for the village in which the land is situate.

All officers of Police shall, when required, aid in preventing (*a*) resistance to such seizures and (*b*) rescues from persons making such seizures.

Police to aid seizures.

11. Persons in charge of public roads, pleasure-grounds, plantations, canals, drainage-works, embankments, and the like, and officers of police, may seize, or cause to be seized, any cattle doing damage to such roads, grounds, plantations, canals, drainage-works, embankments, and the like, or the sides or slopes of such roads, canals, drainage-works, or embankments, or found straying thereon, and shall send them or cause them to be sent within twenty-four hours to the nearest pound.

Cattle damaging public roads, canals, and embankments.

19. No officer of police, or other officer or pound-keeper appointed under the provisions herein contained, shall, directly or indirectly purchase any cattle at a sale under this Act.

Officers and pound-keepers not to purchase cattle at sales under the Act.

24. Whoever forcibly opposes the seizure of cattle liable to be seized under this Act, and whoever rescues the same after seizure, either from a pound, or from any person taking or about to take them to a pound, such person being near at hand and acting under the powers conferred by this Act, shall, on conviction before a Magistrate, be punished with imprisonment for a period not exceeding six months, or with fine not exceeding five hundred rupees, or with both.

Penalty for forcibly opposing the seizure of cattle or rescuing the same.

65. This Part of this Act, except so much of sections 62 and 63 as are referred to in section 64, shall not apply to marriages between Roman Catholics. But nothing herein contained shall invalidate any marriage celebrated between Roman Catholics under the provisions of Part V of Act No. XXV of 1864, previous to the twenty-third day of February, 1865.

Part VI not to apply to Roman Catholics. Saving of certain marriages.

PART VII.

PENALTIES.

66. Whoever for the purpose of procuring any marriage, intentionally makes any false oath or signs any false notice or certificate required by this Act, shall be deemed guilty of the offence described in section 193 of the Indian Penal Code.

False oath, declaration, notice or certificate for procuring marriage.

67. Whoever forbids the issue, by a Marriage Registrar, of a certificate, by falsely representing himself to be a person whose consent to the marriage is required by law, knowing or believing such representation to be false, or not having reason to believe it to be true, shall be deemed guilty of the offence described in section 205 of the Indian Penal Code.

Forbidding by false personation, issue of certificate by Marriage Registrar.

68. Whoever, not being authorized under this Act to solemnize a marriage in the absence of a Marriage Registrar of the district in which such marriage as solemnized, knowingly solemnizes a marriage between persons one or both of whom is or are a Christian or Christians, shall be punished with imprisonment which may extend to ten years, or (in lieu of a sentence of imprisonment for seven years or upwards) with transportation for a term of not less than seven years, and not exceeding ten years,

Solemnizing marriage without due authority.

or, if the offender be an European or American, with penal servitude according to the provisions of Act XXIV of 1855 (to *substitute penal servitude for the punishment of transportation in respect of European and American convicts and to amend the law relating to the removal of such convicts*),

and shall also be liable to fine.

69. Whoever knowingly and wilfully solemnizes a marriage between persons, one or both of whom is or are a Christian or Christians, at any time other than between the hours of six in the

Solemnizing marriage out of proper time, or without witnesses

morning and seven in the evening, or in the absence of at least two credible witnesses other than the person solemnizing the marriage, shall be punished with imprisonment for a term which may extend to three years, and shall also be liable to fine.

Saving of marriages solemnized under special license.

This section does not apply to marriages solemnized under special licenses granted by the Anglican Bishop of the Diocese or by his Commissary, nor to marriages performed between the hours of seven in the evening and six in the morning by a Clergyman of the Church of Rome, when he has received the general or special license in that behalf mentioned in section 10.

Solemnizing, without notice or within fourteen days after notice, marriage with minor.

70. Any Minister of Religion licensed to solemnize marriages under this Act, who, without a notice in writing, or, when one of the parties to the marriage is a minor, and the required consent of the parents or guardians to such marriage has not been obtained, within fourteen days after the receipt by him of notice of such marriage, knowingly and wilfully solemnizes a marriage under Part III, shall be punished with imprisonment for a term which may extend to three years, and shall also be liable to fine.

Issuing certificate, or marrying, without publication of notice;

71. A Marriage Registrar under this Act, who commits any of the following offences:—

(1) knowingly and wilfully issues any certificate for marriage, or solemnizes any marriage, without publishing the notice of such marriage as directed by this Act;

marrying after expiry of certificate;

(2) after the expiration of two months from the issue by him of a certificate in respect of any marriage, solemnizes such marriage;

solemnizing marriage with minor within fourteen days, without authority of Court, or without sending copy of notice;

(3) solemnizes, without an order of a competent Court authorizing him to do so, any marriage, when one of the parties is a minor, before the expiration of fourteen days after the receipt of the notice of such marriage, or without sending, by the post or otherwise, a copy of such notice to the Senior Marriage Registrar of the District if there be more Marriage Registrars of the District than one, and if he himself be not the Senior Marriage Registrar;

issuing certificate against authorized prohibition.

(4) issues any certificate the issue of which has been prohibited, as in this Act provided, by any person authorized to prohibit the issue thereof,

shall be punished with imprisonment for a term which may extend to five years, and shall also be liable to fine.

Issuing certificate after expiry of notice, or, in case of minor, within fourteen days after notice, or against authorized prohibition.

72. Any Marriage Registrar knowingly and wilfully issuing any certificate for marriage after the expiration of three months after the notice has been entered by him as aforesaid,

or knowingly and wilfully issuing, without the order of a competent Court authorizing him so to do, any certificate for marriage, where one of the parties intending marriage is a minor, before the expiration of fourteen days after the entry of such notice, or any certificate the issue of which has been forbidden as aforesaid by any person authorized in this behalf,

shall be deemed to have committed an offence under section 166 of the Indian Penal Code.

Persons authorized to solemnise marriage (other than Clergy of Churches of England, Scotland or Rome);

73. Whoever, being authorized under this Act to solemnize a marriage,

and not being a Clergyman of the Church of England solemnizing a marriage after due publication of banns, or under a license from the Anglican Bishop of the Diocese or a Surrogate duly authorized in that behalf,

or, not being a Clergyman of the Church of Scotland, solemnizing a marriage according to the rules, rites, ceremonies and customs of that church,

or, not being a Clergyman of the Church of Rome, solemnizing a marriage according to the rites, rules, ceremonies and customs of that church,

issuing certificate, or marrying, without publishing notice, or after expiry of certificate;

knowingly and wilfully issues any certificate for marriage under this Act, or solemnizes any marriage between such persons as aforesaid, without publishing, or causing to be affixed, the notice of such marriage as directed in Part III of this Act, or after the expiration of two months after the certificate has been issued by him;

issuing certificate for, or solemnizing marriage with minor, within fourteen days after notice;

or knowingly and wilfully issues any certificate for marriage, or solemnizes a marriage between such persons when one of the persons intending marriage is a minor, before the expiration of fourteen days after the receipt of notice of such marriage, or without sending, by the post or otherwise, a copy of such notice to the Marriage Registrar, or, if there be more Marriage Registrars than one, to the Senior Marriage Registrar of the District;

Issuing certificate authorizedly forbidden;

or knowingly and wilfully issues any certificate the issue of which has been forbidden, under this Act, by any person authorized to forbid the issue;

solemnizing marriage authorizedly forbidden.

or knowingly and wilfully solemnizes any marriage forbidden by any person authorized to forbid the same;

shall be punished with imprisonment for a term which may extend to four years, and shall also be liable to fine.

Unlicensed person granting certificate pretending to be licensed.

74. Whoever, not being licensed to grant a certificate of marriage under Part VI of this Act, grants such certificate intending thereby to make it appear that he is so licensed, shall be punished with imprisonment for a term which may extend to five years, and shall also be liable to fine.

Destroying or falsifying register-books.

75. Whoever, by himself or another, wilfully destroys or injures any register-book or the counterfoil certificates thereof, or any part thereof, or any authenticated extract therefrom,

or falsely makes or counterfeits any part of such register-book or counterfoil certificates,

or wilfully inserts any false entry in any such register-book or counterfoil certificate or authenticated extract,

shall be punished with imprisonment for a term which may extend to seven years, and shall also be liable to fine.

Limitation of prosecutions under Act.

76. The prosecution for every offence punishable under this Act shall be commenced within two years after the offence is committed.

PART VIII.

MISCELLANEOUS.

What matters need not be proved in respect of marriage in accordance with Act.

77. Whenever any marriage has been solemnized in accordance with the provisions of sections 4 and 5, it shall not be void merely on account of any irregularity in respect of any of the following matters, namely :—

(1) any statement made in regard to the dwelling of the persons married, or to the consent of any person whose consent to such marriage is required by law:

ACT N[illegible]878.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor-General on the 9th January* 1878.)

~~THE OPIUM ACT, 1878.~~

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5. Power to make rules to permit such matters.
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Sections.

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20. Disposal of person arrested or thing seized.
21. Report of arrests and seizures.
22. Procedure in case of illegal poppy-cultivation.
23. Recovery of arrears of fees, duties, &c.
24. Farmer may apply to Collector or other officer to recover amount due to him by licensee.
25. Recovery of penalties due under bond.

~~SCHEDULE.~~

An Act to amend the Law relating to Opium.

Preamble.

WHEREAS it is expedient to amend the law relating to opium; It is hereby enacted as follows:—

Short title.

1. This Act may be called "The Opium Act, 1878."

And it shall Come into force on [illegible] on the 1st day of April 1880

Local extent.

It shall extend to such local areas as the Governor-General in Council may, by notification in the *Gazette of India*, from time to time direct;

Commencement.

And it shall come into force in each of such areas on such day as the Governor-General in Council in like manner directs in this behalf.

Repeal of enactments.

2. ~~The enactments~~ mentioned in the schedule hereto annexed ~~shall be~~ repealed to the extent specified in the third column of the said schedule:

Amendment of Acts.

And in Acts No. XI of 1849, No. XXI of 1856, and No. X of 1871, and in Bengal Act No. II of 1876, the words "intoxicating drugs" (wherever they occur) shall not include opium.

Amendment of Act VII of 1836, S. 1.

The reference made to Bombay Regulations XXI of 1827 and XX of 1830 in Act No. VII of 1836 shall be read as if made to the corresponding sections of this Act.

Interpretation-clause.

3. In this Act, unless there be something repugnant in the subject or context—

"Opium."

"Opium" includes also poppy-heads, preparations or admixtures of opium, and intoxicating drugs prepared from the poppy:

"Magistrate."

"Magistrate" means, ~~in the Presidency towns, a Presidency Magistrate, and elsewhere~~ a Magistrate of the first class or (when specially empowered by the ~~local Government~~ Chief Commissioner of Mysore to try cases under this Act) a Magistrate of the second class:

"Import."

"Import" means to bring into the territories administered by ~~any local Government~~ Chief Commissioner of Mysore from sea, or from foreign territory, or from a territory administered by any other local Government:

"Export."

"Export" means to take out of the territories administered by ~~any local Government~~ Chief Commissioner of Mysore to sea, or to any foreign territory, or to any territory administered by another local Government:

"Transport."

"Transport" means to remove from one place to another within the territories administered by the ~~same local Government~~ Chief Commissioner of Mysore.

Penalty for illegal cultivation of poppy, &c.

9. Any person who, in contravention of this Act, or of rules made and notified under Section 5 or Section 8,

(*a*) cultivates the poppy, or
(*b*) manufactures opium, or
(*c*) possesses opium, or
(*d*) transports opium, or
(*e*) imports or exports opium, or
(*f*) sells opium, or
(*g*) omits to warehouse opium or removes or does any act in respect of warehoused opium,

and any person who otherwise contravenes any such rule,

shall, on conviction before a Magistrate, be punished for each such offence with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both;

and, where a fine is imposed, the convicting Magistrate shall direct the offender to be imprisoned in default of payment of the fine for a term which may extend to six months, and such imprisonment shall be in excess of any other imprisonment to which he may have been sentenced.

Presumption in prosecutions under Section 9.

10. In prosecutions under Section 9, it shall be presumed, until the contrary is proved, that all opium for which the accused person is unable to account satisfactorily is opium in respect of which he has committed an offence under this Act.

Confiscation of opium.

11. In any case in which an offence under Section 9 has been committed—

(*a*) the poppy so cultivated;
(*b*) the opium in respect of which any offence under the same section has been committed;

(*c*) where, in the case of an offence under Clause (*d*) or (*e*) of the same section, the offender is transporting, importing, or exporting any opium exceeding the quantity (if any) which he is permitted to transport, import, or export, as the case may be, the whole of the opium which he is transporting, importing, or exporting;

(*d*) where, in the case of an offence under Clause (*f*) of the same section, the offender has in his possession any opium other than the opium in respect of which the offence has been committed, the whole of such other opium,

shall be liable to confiscation.

The vessels, packages, and coverings in which any opium liable to confiscation under this section is found, and the other contents (if any) of the vessel or package in which such opium may be concealed, and the animals and conveyances used in carrying it, shall likewise be liable to confiscation.

Order of confiscation by whom to be made.

12. When the offender is convicted, or when the person charged with an offence in respect of any opium is acquitted, but the Magistrate decides that the opium is liable to confiscation, such confiscation may be ordered by the Magistrate.

Whenever confiscation is authorized by this Act, the officer ordering it may give the owner of the thing liable to be confiscated an option to pay, in lieu of confiscation, such fine as the officer thinks fit.

When an offence against this Act has been committed, but the offender is not known or cannot be found, or when opium not in the possession of any person cannot be satisfactorily accounted for, the case shall be

inquired into and determined by the ~~the Collector of the District or~~ Deputy Commissioner, or by any other officer authorized by the local Government in this behalf, either personally or in right of his office, who may order such confiscation: Provided that no such order shall be made until the expiration of one month from the date of seizing the things intended to be confiscated or without hearing the persons (if any) claiming any right thereto and the evidence (if any) which they produce in support of their claims.

Chief Commissioner of Mysore

Power to make rules regarding,

13. The ~~local Government~~ may, with the previous sanction of the Governor General in Council, from time to time, by notification in the local Gazette, make rules consistent with this Act to regulate—

disposal of things confiscated,

(*a*) the disposal of all things confiscated under this Act; and

and rewards.

(*b*) the rewards to be paid to officers and informers out of the proceeds of fines and confiscations under this Act.

Power to enter, arrest, and seize on information that opium is unlawfully kept in any enclosed place.

14. Any officer of any of the departments of Excise, Police, Customs, Salt, Opium, or Revenue, superior in rank to a peon or constable, who may in right of his office be authorised by the ~~local Government~~ Chief Commissioner of Mysore in this behalf, and who has reason to believe, from personal knowledge or from information given by any person and taken down in writing, that opium liable to confiscation under this Act is manufactured, kept, or concealed in any building, vessel, or enclosed place, may, between sunrise and sunset,

(*a*) enter into any such building, vessel, or place;

(*b*) in case of resistance, break open any door and remove any other obstacle to such entry;

(c) Seize such opium and all materials used in the manufacture thereof, and any other thing which he has reason to believe to be liable to confiscation under Section 11 or any other law for the time being in force relating to opium, and

(d) detain and search, and if he think proper arrest, any person whom he has reason to believe to be guilty of any offence relating to such opium under this or any other law for the time being in force.

Power to seize opium in open places.

15. Any officer of any of the said departments may

(a) seize, in any open place or in transit, any opium or other thing which he has reason to believe to be liable to confiscation under Section 11 or any other law for the time being in force relating to opium,

Power to detain, search, and arrest.

(b) detain and search any person whom he has reason to believe to be guilty of any offence against this or any other such law, and, if such person has opium in his possession, arrest him and any other persons in his company.

Searches how made.

16. All searches under Section 14 or Section 15 shall be made in accordance with the provisions of the Code of Criminal Procedure.

Officers to assist each other.

17. The officers of the several departments mentioned in Section 14 shall, upon notice given or request made, be legally bound to assist each other in carrying out the provisions of this Act.

Vexatious entries, searches, seizures, and arrests.

18. Any officer of any of the said departments who, without reasonable ground of suspicion, enters or searches, or causes to be entered or searched, any building, vessel, or place,

or vexatiously and unnecessarily seizes the property of any person on the pretence of seizing or searching for any opium or other thing liable to confiscation under this Act,

or vexatiously and unnecessarily detains, searches, or arrests any person,

shall for every such offence be punished with fine not exceeding five hundred rupees.

Issue of warrants.

19. The ~~Collector of the District~~, Deputy Commissioner or other officer authorized by the local Government in this behalf, either personally or in right of his office, or a Magistrate, may issue his warrant for the arrest of any person whom he has reason to believe to have committed an offence relating to opium, or for the search, whether by day or night, of any building, or vessel, or place in which he has reason to believe opium liable to confiscation to be kept or concealed.

All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure.

Disposal of person arrested or thing seized.

20. Every person arrested, and thing seized, under Section 14 or Section 15, shall be forwarded without delay to the officer in charge of the nearest Police-station; and every person arrested and thing seized under Section 19 shall be forwarded without delay to the officer by whom the warrant was issued.

Every officer to whom any person or thing is forwarded under this section shall, with all convenient des-

patch, take such measures as may be necessary for the disposal according to law of such person or thing.

Report of arrests and seizures.

21. Whenever any officer makes any arrest or seizure under this Act, he shall within forty-eight hours next after such arrest or seizure make a full report of all the particulars of such arrest or seizure to his immediate official superior.

Procedure in case of illegal poppy-cultivation.

22. In the case of alleged illegal cultivation of the poppy, the crop shall not be removed, but shall, pending the disposal of the case, be attached by an officer superior in rank to a peon or constable, who may in right of his office be authorized by the local Government in this behalf; and such officer shall require the cultivator to give bail in a reasonable amount (to be fixed by such officer) for his appearance before the Magistrate by whom the case is to be disposed of, and such cultivator shall not be arrested unless within a reasonable time he fails to give such bail:

Provided that, wherever Act No. XIII ~~of 1857~~ (*An Act to consolidate and amend the Law relating to the cultivation of the Poppy and the manufacture of Opium in the Presidency of Fort William in Bengal*), or any part thereof, is ~~in force~~, nothing in this section ~~shall apply~~ to ~~such~~ cultivation.

Recovery of arrears of fees, duties, &c.

23. Any arrear of any fee or duty imposed under this Act or any rule made hereunder,

and any arrear due from any farmer of opium-revenue,

may be recovered from the person primarily liable to pay the same to the Government or from his surety (if any) as if it were an arrear of land-revenue.

Farmer may apply to Collector or other officer to recover amount due to him by licensee.

24. When any amount is due to a farmer of opium-revenue from his licensee, in respect of a license, such farmer may make an application to the ~~Collector of the District,~~ Deputy Commissioner, or other officer authorized by the local Government in this behalf, praying such officer to recover such amount on behalf of the applicant; and on receiving such application, such ~~Collector~~, Deputy Commissioner, or other officer may in his discretion recover such amount as if it were an arrear of land-revenue, and shall pay any amount so recovered to the applicant:

Provided that the execution of any process issued by such ~~Collector, Deputy Collector, or other~~ officer for the recovery of such amount, shall be stayed if the licensee institutes a suit in the Civil Court to try the demand of the farmer and furnishes security to the satisfaction of such officer for the payment of the amount which such Court may adjudge to be due from him to such farmer:

Provided also that nothing contained in this section or done thereunder shall affect the right of any farmer of opium-revenue to recover by suit in the Civil Court or otherwise any amount due to him from such licensee.

Recovery of penalties due under bond.

25. When any person in compliance with any rule made hereunder gives a bond for the performance of any duty or act, such duty or act shall be deemed to be a public duty or an act in which the public are interested, as the case may be, within the meaning of the Indian Contract Act, 1872, Section 74, and upon breach of the condition of such bond by him, the whole sum named therein as the amount to be paid in case of such breach may be recovered from him as if it were an arrear of land-revenue.

SCHEDULE.

ACTS OF THE GOVERNOR-GENERAL IN COUNCIL.

Number and Year.	Subject.	Extent of Repeal.
Act XI of 1849 ...	Abkari Revenue of Calcutta ...	In Section 5, the word "opium." In Section 6, the word "opium" and the last thirty-one words. In Section 15, from and including the words "except in the case," to the end of the section. In Section 33, from and including the words "except opium" down to and including the words "each seer;" and the words "or in the case of opium as aforesaid, a reward of one rupee eight annas for each seer."
Act III of 1852 ...	Spirituous liquors, Bombay ...	Section 10, so far as it relates to opium.
Act XXI of 1856...	Bengal Abkari Act	In Section 28, the word "opium." Sections 34, 51, 52, 53 and 87. In Section 35, the words "or opium." In Section 49, the words "except opium." Section 59, so far as it relates to opium.

Number and Year.	Subject.	Extent of Repeal.
		In Section 75, the words "except opium" and from and including the words "opium seized" down to the end.
		In Section 76, from and including the words "except opium" down to and including the words "each seer;" and from and including the words "or in" down to and incuding the words "each seer."
		In paragraph 8 of Section 90, the words "and opium."
Act XIII of 1857...	Cultivation of the poppy and manufacture of opium..	Section 2.
Act X of 1871 ...	The Northern India Excise Act ...	In paragraph 5 of Section 3, the word "opium."
		Sections 18, 65, 66, 67, and 87.
		In Section 19, the words "or opium."
		Section 46, so far as it relates to opium.
		In Section 46, paragraph 3, from and including the words "as well as" down to and including the words "dealings in opium."
		In Section 63, the words "except opium."
		In Section 78, the words "except opium," and paragraph 2.

Number and Year.	Subject.	Extent of Repeal.
		In Section 79, from and including the words "except opium" down to and including the words "each seer," and from and including the words "or in" down to and including the words "each seer."
Act IV of 1872 ...	The Punjab Laws Act ...	Section 49.
Act XXVI of 1872	Punjab Opium Law Amendment ...	The whole Act.
Act VI of 1873 ...	Transhipment of goods ...	Section 7.
Act XVI of 1875	The Indian Tariff Act ...	Section 9.
Act XXIII of 1876	To amend the Law relating to Opium.	The whole Act.
Act VI of 1877 ...	For postponing the day on which the Opium Act, 1876, is to come into force.	The whole Act.

ACT OF THE LIEUTENANT-GOVERNOR OF BENGAL IN COUNCIL.

Number and Year.	Subject.	Extent of Repeal.
Act II of 1876 ...	To amend Act XI of 1849, Act XXI of 1856, and Act IV (B. C.) of 1866	In Section 3, in the section substituted for Section 33 of Act XI of 1849, the words "except opium," and from and including the words "confiscated opium" down to and including the words "general order."

Number and Year.	Subject.	Extent of Repeal.
		In Section 3, in the section substituted for Section 34 of Act XI of 1849, the words "except in the case of opium," and from and including the words "and in the case of opium" down to and including the words "similarly distributed." In Section 10, in the section substituted for section 75 of Act XXI of 1856, the words "except opium," and from and including the words "confiscated opium" down to and including the words "general order." In Section 10, in the section substituted for Section 76 of Act XXI of 1856, the words "except in the case of opium," and from and including the words "and in the case of opium" down to and including the words "similarly distributed."

BOMBAY REGULATIONS.

Number and Year.	Subject.	Extent of Repeal.
Bombay Regulation XXI of 1827 ...	Duty on opium ...	The preamble, from and including the words "with the combined" down to and including the words "the prohibited." Chapters I, II, III and IV.
Bombay Regulation XX of 1830 ...	Malwa opium ...	So much as has not been repealed.

REVENUE.

No. 8195—Ex. F. 21-97, dated 19th May 1900.

MYSORE OPIUM RULES.

In exercise of the powers conferred by Sections 5 and 13 of the Opium Act, 1878 (I of 1878), the Government of Mysore are pleased to make the following Rules, in supersession of all previous Rules on the subject. These Rules shall apply to the whole of the Territories of Mysore, and shall come into force on and with effect from the 1st July 1900.

Preliminary.

I.—In these Rules, unless there is anything repugnant in the subject or context—

(1) "Government" means the Government of Mysore.

(2) "Excise Commissioner" means the Excise Commissioner in Mysore.

(3) "Deputy Commissioner" means the Deputy Commissioner of a District, including any Assistant Commissioner duly authorized by a Deputy Commissioner to exercise all or any of the powers or duties conferred or imposed on a Deputy Commissioner by these Rules.

(4) "Farmer" means a person who has obtained a farm from the Deputy Commissioner under Rule XV.

(5) "Licensed vendor" means a person who has obtained a license for sale by retail under Rule XII or XVI.

(6) Sale "by retail" means the sale in a single transaction of opium and intoxicating drugs prepared from the poppy in any quantity not exceeding three tolas in weight, and of preparations and admixtures of opium other than those used for smoking, in any quantity not containing more than three tolas of crude opium. Any other sale is a wholesale sale.

(7) "Medical practitioner" means a person to whom a special license has been granted under Rule IV.

(8) "Opium" means the inspissated juice of the poppy.

(9) "Poppy-heads" means the dry capsules of the poppy plant.

(10) The words "Import" and "Transport" have the respective meanings assigned to them in the Opium Act, 1878.

(1) The word "Seer" means a weight of eighty tolas.

(2) "Tola" means a weight of one hundred and eighty grains Troy.

Manufacture.

II.—(i) Preparations or admixtures of opium or intoxicating drugs prepared from the poppy other than preparations or admixtures of opium used for smoking, may be manufactured:—

(a) on account of the Government;

(b) by a farmer or licensed vendor for wholesale or retail sale in accordance with these Rules and with the conditions of his farm or license;

(c) by a medical practitioner for medical purposes, or by any person for his own domestic use, provided that such manufacture is in quantities not exceeding those in which the possession of the said articles is permitted by these Rules, and is from opium of which the possession is similarly permitted.

(ii) Preparations or admixtures of opium used for smoking may be manufactured by any person for his domestic use, but not for sale, in any quantity not exceeding one tola in weight, from opium of which he is permitted by these Rules to be in possession.

Possession.

III.—(i) Any person may possess—

(a) opium and intoxicating drugs prepared from the poppy in any quantity not exceeding three tolas in weight, and preparations or admixtures of opium other than those used for smoking, in any quantity not containing more than three tolas of crude opium: provided that the said articles have been purchased from a farmer, licensed vendor, or licensed medical practitioner, or have been manufactured from opium so purchased: provided also that the Deputy Commissioner may specially authorize the possession by any person of any or all of the said articles in any quantity not exceeding one seer in weight;

(b) preparations or admixtures of opium used for smoking to the extent of one tola, provided that such preparations have been manufactured by the possessor for private consumption and not for sale under the conditions of Rule II (ii) above.

(ii) Subject to the conditions of his farm or license, a farmer or licensed vendor may possess opium, preparations or admixtures of opium, or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, in any quantity; and a medical practitioner may possess them in any quantity not exceeding one seer of opium and one seer of preparations or admixtures of opium or intoxicating drugs prepared from the poppy at one time: provided that the said articles have been purchased from the Government or from a farmer, licensed vendor, or medical practitioner, as prescribed in the possessor's farm or license, or otherwise in these Rules, or have been manufactured from opium so purchased: provided also that the Deputy Commissioner may, in any special case, authorize the possession by a medical practitioner of any or all of the said articles in any quantity.

IV.—The Deputy Commissioner may grant to any medical practitioner a special license in such form as may be prescribed by Government, for the possession, in accordance with the provisions of the last preceding Rule, and sale by retail, for medical purposes only, of opium and preparations or admixtures of opium, or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking.

Transport.

V.—(i) When a farmer, licensed vendor or medical practitioner desires to transport opium or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, he shall obtain for each consignment a pass from the Deputy Commissioner in such form as the Excise Commissioner may from time to time prescribe.

(ii) The pass shall specify—

(a) the time within which the transport must be effected;
(b) the place from which the consignment is to be transported;
(c) the name of the person in charge of the consignment;
(d) the name of the consignee;
(e) the number of packages, and the weight and contents of each; and
(f) the place to which the consignment is to be transported.

(iii) Each package in every such consignment shall be stamped by, or in the presence of, the officer granting the pass, with his official seal.

VI.—The bulk of a consignment shall not be broken during transport.

VII.—The Deputy Commissioner may, at his discretion, make it a condition of the pass that the bulk of the consignment for which it is granted shall not be broken after arrival at its destination as specified in the pass, until after the consignment has been examined by an officer deputed or authorized by the Deputy Commissioner for that purpose: provided that such examination shall be made within seven days from the date on which the Deputy Commissioner is informed of the arrival of the consignment.

VIII.—If any officer competent to exercise the powers of seizure, detention and search, under Sections 14 and 15 of the Opium Act, 1878, finds that the packages are fewer, or their contents less (by more than the dryage allowance of one-quarter per cent) than the number or amount specified in the pass, he shall immediately report the circumstances to the Deputy Commissioner, who will decide whether a prosecution shall or shall not be instituted.

Import.

IX.—(i) The import of opium on account of the Government shall be permitted on the condition that the opium is covered by a pass granted by the Opium Agent at Indore.

(ii) A medical practitioner may, with the special permission of the Deputy Commissioner, and subject to such conditions as the Deputy Commissioner may prescribe, import such preparations or admixtures of opium or intoxicating drugs prepared from the poppy (other than preparations or admixtures of opium used for smoking) as are not locally procurable, to the extent of the quantities of the said articles of which he is permitted by these Rules to be in possession.

Sale.

X.—Opium and preparations or admixtures of opium and intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, may be sold by retail to any person legally authorized to possess the same, by a person holding a license in that behalf; and may also be sold, for medical purposes only, by a medical practitioner holding a license granted to him under Rule IV, to the extent and subject to the conditions specified in such license.

XI.—(i) Opium in quantities of not less than one seer shall, on pre-payment at such rates as the Government may from time to time prescribe by Notification in the *Mysore Gazette*, be supplied by the Deputy Commissioner to any farmer, licensed vendor or medical practitioner.

(ii) No opium shall be sold by wholesale or retail which has not been bought from the Deputy Commissioner or from a licensed vendor.

(iii) No opium or preparation or admixture of opium or intoxicating drug prepared from the poppy shall be sold wholesale, except under special order from the Deputy Commissioner or as next hereinafter provided.

(iv) A licensed vendor or farmer may sell any quantity of opium or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, to another licensed vendor or farmer, and a quantity not exceeding one seer of each of the said articles or two seers of them in the aggregate to a medical practitioner.

(v) A medical practitioner may sell to another medical practitioner a quantity not exceeding one seer of preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking.

XII.—(i) Licenses for the sale by retail of opium or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, may be granted by the Deputy Commissioner.

~~(ii) Such limited number of shops, for the retail vend of opium or preparations or admixtures of opium or intoxicating drugs prepared from the poppy as aforesaid as the Deputy Commissioner may from time to time decide shall be allowed in his district, and the monopoly of~~

retail vend at such shops shall be sold for such fee as the Government may fix, or it may be put up to auction at the commencement of each official year. The shops shall be disposed of singly or in groups as the Deputy Commissioner may direct.

XIII.—Licenses for the sale by retail of opium or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, shall be in such form as may from time to time be prescribed by the Government.

XIV.—Licenses for the sale by retail of opium or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, shall be granted for one year only, unless the Government otherwise specifically direct.

XV.—(i) With the sanction of the Government, and subject to such conditions (if any) as may be imposed as hereinafter provided, the Deputy Commissioner may farm the duties leviable on the sale by retail of opium or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, for a term not exceeding five years.

(ii) The Government may prescribe conditions—

(*a*) for the invitation and acceptance of tenders for the farm of such duties;
(*b*) as to the forms and conditions of the farms; and
(*c*) for the requisition of security for the due fulfilment of the engagements entered into by the farmers.

(iii) Any breach of the conditions of a farm granted under this Rule shall, over and above any other penalty, subject the farm to annulment by the authority by whom it was granted.

XVI.—When duties are farmed under the last foregoing Rule, the farmer may issue within the limits of his farm licenses for the sale by retail of opium, or preparations or admixtures of opium, or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking. Such licenses shall be countersigned by the Deputy Commissioner, and shall then have the force of licenses issued by the Deputy Commissioner, under Rule XII, and shall contain such of the conditions of the said licenses as the Deputy Commissioner may prescribe, and may be cancelled at the discretion of the Deputy Commissioner for the breach of any of these conditions.

XVII.—Before entering into engagement for the farm of such duties, the Deputy Commissioner may with the sanction of the Excise Commissioner make such reservations or restrictions with respect to the grant of licenses by the farmer as he thinks fit.

XVIII.—Every farmer shall file in the Deputy Commissioner's Office in such form as may from time to time be prescribed by the Excise Commissioner a list of all licenses granted by him.

XIX.—With the sanction of the Government the Deputy Commissioner may cancel any farm granted under Rule XV, or may, within the period of such farm, impose any new reservation or restriction on the farmer.

XX.—If a farm is cancelled for any cause other than a breach of the conditions imposed under Rule XV upon the farmer, or if any reservation or restriction with respect of the grant of licenses is imposed under the last foregoing Rule during the term of the farm, the Government may award to the farmer compensation for any loss thereby caused to him.

XXI.—If any licensed vendor or farmer, on the expiry of his license or farm, has in his possession any opium, or preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, which he is unable to dispose of to the satisfaction of the Deputy Commissioner by private sale to other licensed vendors or farmers, he shall surrender the same to the Deputy Commissioner; and the in-coming licensed vendor or farmer, or, if the expired license or farm is not renewed, any licensed vendor or farmer within the district, shall, when required by the Deputy Commissioner, be bound to purchase the articles aforesaid to the extent of two months' supply at such price and in such quantities as the Deputy Commissioner shall adjudge: provided that the price thus adjudged shall in no case exceed the rate at which opium can be procured from the Government: provided also that if such articles are declared by the Civil Surgeon to be unfit for use, the Deputy Commissioner shall cause the same to be destroyed.

General.

XXII.—Except where otherwise specially provided in the foregoing Rules, the possession, transport, import, or sale of opium and preparations or admixtures of opium or intoxicating drugs prepared from the poppy, other than preparations or admixtures of opium used for smoking, by or on behalf of the Government, shall be unrestricted.

XXIII.—The possession, transport, import, or sale of poppy heads is permitted.

Disposal of things confiscated.

XXIV.—Opium or any preparation or admixture of opium or intoxicating drugs prepared from the poppy, confiscated under the Opium Act, 1878, shall be examined by the Civil Surgeon and if declared by him to be fit for use, shall be sent to the nearest Government Treasury, and be disposed of as the Deputy Commissioner may direct. If declared to be unfit for use, it shall be immediately destroyed.

XXV.—All property other than opium or any preparation or admixture of opium or intoxicating drugs prepared from the poppy, which is confiscated under the Opium Act, 1878, shall be sold under the orders of the Magistrate or other officer by whom the confiscation was adjudged.

Rewards.

XXVI.—Any Magistrate convicting an offender under Section 9, or any Magistrate or other authorized officer ordering the confiscation of opium or any preparation or admixture of opium or intoxicating drug prepared from the poppy under Section 12 of the Opium Act, 1878, may grant a reward, not exceeding the value of the article or articles confiscated, plus the amount of any fine realized, in such proportions as he may think fit, to any person or persons who have contributed to the seizure of the article or articles or the conviction of the offender.

XXVII.—If in any case the fine or forfeiture is not realised, the Deputy Commissioner may sanction such reasonable reward not exceeding the amount of the fine and forfeiture as may seem appropriate. The Government may also by general order declare what classes of Excise Officers shall receive rewards, and what classes shall have no title to share therein.

Powers of the Excise Commissioner.

XXVIII.—The Excise Commissioner may, in any special case, sanction the grant of a departmental reward not exceeding rupees fifty, and recommend to Government the grants of special rewards exceeding rupees fifty.

XXIX.—The executive officers and other members of the department, farmers and shop-keepers, shall conform to such rules of practice not inconsistent with the provisions of the Opium Act, 1878, and these Rules, as may, from time to time, be issued by the Excise Commissioner.

XXX.—Farmers and shop-keepers shall keep and render such accounts as may, from time to time, be prescribed by the Excise Commissioner.

By Order,
C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

Dated 21st September 1889

No 200

Under Sec 14 and 22 of the Opium Act I of 1878, the Government of His Highness the Maharaja hereby authorise the following officers to exercise the powers referred to in the said Sections:—

— — — — —

Police department

All officers of, and above, the grade of Head Constable or Jamadar

— — —

(4)

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Coffee-Stealing.

Sections 1-2.

MADRAS ACT NO. VIII OF 1878.

Notification by the Government of India, Foreign Department, Judicial, No. 130 I. J., dated Simla, the 19th June 1879.

The Governor General in Council is pleased to extend Madras Act No. VIII of 1878 (The Madras Coffee Stealing Prevention Act, 1878) to the Province of Mysore, subject to the following modifications, namely :—

In section 1, for the word "Madras" the word "Mysore," and in section 2, for the words "Governor in Council" the words "Governor General in Council," * shall be substituted.

ACT No. VIII OF 1878.

(RECEIVED THE GOVERNOR'S ASSENT ON THE 30TH AUGUST 1878 AND THE GOVERNOR GENERAL'S ASSENT ON THE 28TH SEPTEMBER 1878.)

An Act to prevent Thefts of Coffee.

WHEREAS it is expedient to make special provision to prevent thefts of coffee, and to repress and punish the offence of receiving or disposing of stolen coffee in the neighbourhood of coffee plantations or estates; It is enacted as follows :— Preamble.

1. This Act may be called "The [a] Mysore [a] Coffee-stealing Prevention Act, 1878." Short-title.

2. † This Act shall take effect in such districts, divisions or Commencement and local extent of Act.

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* Under Notification of the Government of Mysore, No. 153, dated the 2nd September 1881, the substituted expression "Governor General in Council" will denote the Government of His Highness the Maharaja of Mysore.

[a-a] The word "Mysore" was substituted for "Madras" by Notification No. 130 I. J, dated the 19th June 1879.

† Under this section it was directed that the Act should take effect in the parts of the districts mentioned below, namely :—

Mysore District. The taluks of Chamarajnagar, Gundulpet, Periapatna, Heggadadevankote.

Hassan District. The taluks of Arkalgud, Narasipur, Manjarabad, Belur, Hassan.

Kadur District. The taluks of Mudgere, Koppa, Lakvalli, Tarikere, Chikmagalur.

Shimoga District. The taluks of Kavaledurga and Nagar.

Vide Notification by the Government of India, No. 242 I. J., dated the 3rd September 1879.

parts of districts, or within such localities or limits within [a] the Presidency of Fort St. George,[a] and from such date as the [b]Governor General in Council[b] may from time to time direct by notification published in the official Gazette.

Power to modify or annul notification.

The [b] Governor General in Council [b] may from time to time modify or cancel such direction by notification similarly published.

Interpretation.

3. In this Act

Laborer.

"Laborer" means and includes all persons (except resident managers) temporarily or permanently employed on a coffee-estate in any capacity, whether agricultural, menial or otherwise howsoever.

Carrier.

"Carrier" means and includes all persons for the time being employed in the transport of coffee, whether by porterage, pack-animals, boat, cart or otherwise, and whether as contractors, drivers or otherwise.

Coffee-estate.

"Coffee-estate" means and includes any land on which coffee is growing.

Coffee.

"Coffee" means and includes all coffee not roasted or otherwise prepared for immediate consumption.

Coffee not to be taken from laborer.

4. It shall not be lawful for any one to purchase, take in barter or exchange, or receive coffee from any laborer employed on a coffee-estate.

Coffee not to be taken from other than laborer, unless particulars entered in book.

5. It shall not be lawful for any one to purchase, take in barter or exchange, or receive coffee from any person other than a laborer employed on a coffee-estate, unless the person so purchasing, taking in barter or exchange, or receiving such coffee shall immediately thereupon enter or cause to be entered in a book to be kept by him for that purpose a true record of such transaction, specifying—

(*a*) the name, residence and occupation of the person from whom such coffee was so purchased, taken in barter or exchange, or received;

[a-a] The introducing Notification should have provided for these words being replaced by the words "the territories of Mysore."

[b-b] These words were substituted for the words "Governor in Council" by Notification No. 130 I. J., dated the 19th June 1879.

G. S. NATARAJAN "BE JUST AND FEAR NOT"

(*b*) the date of the transaction; and

(*c*) the quantity and description of the coffee so purchased, taken in barter or exchange, or received:

Section not to apply to coffee taken for *bonâ fide* personal consumption.

Provided that this section shall not apply to coffee purchased, taken in barter or exchange, or received from any person other than a laborer employed on a coffee-estate, and intended *bonâ fide* for consumption in the house or on the premises of the person purchasing, taking in barter or exchange, or receiving the same as aforesaid.

Books to be produced on police officer's requisition.

6. All books required by section 5 to be kept by persons purchasing coffee shall be produced upon the requisition of any police officer not below the rank of an officer in charge of a police station, generally or specially authorized by any Magistrate to require the production of such books.

Conditions under which coffee may be taken from a carrier.

7. It shall not be lawful for any one to purchase or take in barter or exchange coffee from any carrier, or for any carrier to sell or give in barter or exchange any coffee, unless the person so purchasing or taking in barter or exchange such coffee shall, besides making the entry required by section 5 of this Act, also enter or cause to be entered in the book mentioned in the said section 5 the marks (if any) on the bags or other packages in which such coffee may be contained, and unless the entries required by this section and by the said section 5 be also correctly signed by such carrier in his own name, and attested by a police-officer or the headman of the village within which the transaction takes place; for which attestation no fee shall be chargeable.

Penalty for breach of section 4, 5, 6 or 7.

8. Any person committing any breach of the provisions contained in section 4, 5, 6 or 7 of this Act shall be liable, on conviction by a Magistrate, to pay a fine not exceeding five hundred rupees.

Penalty in case of laborer being found in possession of green coffee for which he cannot account.

9. Any cooly, maistry or other laborer employed on a coffee-estate found with green gathered coffee in his possession, and failing to account satisfactorily for such possession, shall be liable, on conviction by a Magistrate, to pay a fine not exceeding five hundred rupees.

Coffee not to be carried without permission of owner or agent.

10. No person shall carry or remove coffee from any coffee-estate, premises or place, or upon any road, highway or footway, without the express permission of the owner or of his authorized agent.

Permission to be in writing, &c.

Such permission shall be in writing, dated and signed by the said owner or his authorized agent, and shall contain the following particulars :—

(*a*) the quantity of the coffee to be carried or removed ;

(*b*) the number, description and marks of the packages in which coffee is secured ;

(*c*) the place or destination to which the coffee is to be carried or removed ; and

(*d*) the names of the consigner and consignee.

Penalty for breach of this section.

Any person committing any breach of the provisions of this section shall, on conviction by a Magistrate, be liable to pay a fine not exceeding five hundred rupees.

Hours of gathering or removing coffee.

11. No coffee shall be gathered, moved, loaded or unloaded on any coffee-estate between sunset and sunrise.

Penalty for breach of above provision.

Any person committing a breach of this provision, or abetting (within the meaning of the Indian Penal Code) such breach, shall, on conviction by a Magistrate, be liable to pay a fine not exceeding five hundred rupees :

Section 10 and this section not to apply to ordinary operations of curing.

Provided that nothing in section 10 or in this section shall apply to the ordinary operations of curing the crop on the estate, such as pulping or storing.

Procedure if gathering, &c., was done to commit theft.

12. If it shall appear that such gathering, moving, loading or unloading was for the purpose of committing a theft, the person or persons so engaged shall be liable to be charged with theft, or abetment of theft, and be proceeded against for such offence under the provisions of sections 378 and 379 or sections 107, 108 and 109 of the Indian Penal Code, as the case may be.

Substituted or additional punishment for second offence under section 9.

13. It shall be at the discretion of the Magistrate, in the case of any persons, not being females, who shall be convicted of a second offence under section 9 of this Act, to substitute or add corporal punishment under the provisions of Act No. VI of 1864 (*An Act to authorize the punishment of whipping in certain cases*), or of any other law for the time being in force in that behalf for or to the penalties provided by this Act :

Proviso.

Provided that such substituted or additional punishment shall be awarded only in respect of the offence itself, and not as an alternative penalty for non-payment of fine.

14. All fines paid or levied under this Act shall be paid into the public treasury : Fines to be paid into public treasury.

Provided that the Magistrate trying any case under this Act may grant the whole or any portion of any fine levied therein as rewards to persons furnishing such information as may have led to the conviction of offenders under this Act. Magistrate may grant rewards to informers

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REGULATION No. II OF 1888.

(PASSED ON THE 2ND DAY OF AUGUST 1888.)

A Regulation to regulate the manufacture, possession, use, sale, transport and importation of explosives.

Whereas it is expedient to regulate the manufacture, possession, use, sale, transport and importation of explosives; His Highness the Maharaja is pleased to enact as follows:—

1. This Regulation may be called the Mysore Explosives Regulation, 1888. **Short title.**

2. (1) This Regulation shall come into force on such day* as His Highness the Maharaja's Government by notification in the official Gazette appoints. **Commencement.**

(2) Provided that any notification or rule may be made under this Regulation at any time after the passing thereof, but shall not take effect until the Regulation comes into force.

3. In this Regulation, unless there is something repugnant in the subject or context, **Definitions.**

(1) "explosive" means any substance dangerous to life or property by reason either of its explosive properties or of any process in the manufacture thereof being liable to cause explosion, which the Government of Mysore may, from time to time by notification in the official Gazette, declare to be an explosive within the meaning of this Regulation:

(2) "manufacture" includes the process of dividing into its component parts or otherwise breaking up or unmaking any explosive or making fit for use any damaged explosive, and the process of remaking, altering or repairing any explosive:

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* The 1st July 1898, *vide* Notification No. 234—M, dated 31st March 1898, published in the Mysore Gazette of 14th April 1898.

(3) "carriage" includes any carriage, wagon, cart, truck, vehicle or other means of conveying goods or passengers by land, in whatever manner the same may be propelled:

(4) "import" means to bring into the territories of Mysore by land.

Power to make rules as to licensing of the manufacture, possession, use, sale, transport and importation of explosives.

4. (1) The Government of Mysore may, for any part of the territories under its administration, make rules consistent with this Regulation to regulate or prohibit, except under and in accordance with the conditions of a license granted as provided by those rules, the manufacture, possession, use, sale, transport and importation of explosives, or any specified class of explosives.

(2) Rules under this section may provide for all or any of the following among other matters, that is to say:—

(*a*) The authority by which licenses may be granted;

(*b*) The fees to be charged for licenses and the other sums (if any) to be paid for expenses by applicants for licenses;

(*c*) The manner in which applications for licenses must be made and the matters to be specified in such applications;

(*d*) The form in which and the conditions on and subject to which licenses must be granted;

(*e*) The period for which licenses are to remain in force; and

(*f*) The exemption, absolutely or subject to conditions, of any explosives from the operation of the rules.

(3) The authority making rules under this section may by the rules impose penalties on all persons manufacturing, possessing, using, selling, transporting or importing explosives in breach of the rules or otherwise contravening the rules:

Provided that the maximum penalty which may be imposed by any such rules shall not exceed:—

(*a*) In the case of a person so importing or manufacturing an explosive, a fine which may extend to three thousand rupees;

(*b*) In the case of a person so possessing, using, or transporting an explosive, a fine which may extend to one thousand rupees;

(*c*) In the case of a person so selling an explosive, a fine which may extend to five hundred rupees; and

(*d*) In any other case, two hundred rupees.

Power for Government of Mysore to prohibit the manufacture, possession or importation of specially dangerous explosives.

5. (1) Notwithstanding anything in the rules under the last foregoing section, the Government of Mysore may, from time to time, by notification in the official Gazette—

(*a*) prohibit, either absolutely or subject to conditions, the manufacture, possession or importation of any explosive which is of so dangerous a character, that, in the opinion of the Government of Mysore, it is expedient for the public safety to issue the notification; and

(*b*) cancel any notification under this section.

(2) Any person manufacturing, possessing or importing an explosive in contravention of a notification issued under this section shall be punished with fine which may extend to three thousand rupees.

Power to make rules conferring powers of inspection, search, seizure, detention and removal.

6. (1) The Government of Mysore may make rules consistent with this Regulation authorizing any officer, either by name or in virtue of his office—

(*a*) to enter, inspect, and examine any place or carriage in which an explosive is being manufactured, possessed, used, sold, transported or imported under a license granted under this Regulation, or in which he has reason to believe that an explosive has been or is being manufactured, possessed, used, sold, transported or imported in contravention of this Regulation or of the rules made under this Regulation;

(*b*) to search for explosives therein;

(*c*) to take samples of any explosive found therein on payment of the value thereof; and

(*d*) to seize, detain, remove, and, if necessary, destroy any explosive found therein.

(2) The provisions of the Code of Criminal Procedure as introduced into the territories of Mysore by Mysore

Regulation I of 1886, relating to searches under that Code, shall, so far as the same are applicable, apply to searches by officers authorized by rules under this section.

Notice of accidents.

7. Whenever there occurs in or about or in connection with any place in which an explosive is manufactured, possessed or used, or any carriage either conveying an explosive or on or from which an explosive is being loaded or unloaded, any accident by explosion or by fire attended with loss of human life or serious injury to person or property or of a description usually attended with such loss or injury, the occupier of the place or the person in charge of the carriage, as the case may be, shall forthwith give notice thereof to the officer in charge of the nearest police station.

Inquiry into accidents.

8. (1) Whenever in the opinion of a District Magistrate, Sub-Divisional Magistrate, or any other Magistrate specially empowered by the Government of Mysore in this behalf, an enquiry is necessary into the cause of any accident of the description mentioned in section 7, he may either himself make the enquiry or direct a Magistrate subordinate to himself to make the enquiry.

(2) Any Magistrate making an enquiry under this section shall, for the purposes of conducting the inquiry, have all the powers which he would have in holding an enquiry into an offence under the Code of Criminal Procedure as so introduced as aforesaid.

Forfeiture of explosives.

9. When a person is convicted of an offence punishable under this Regulation, or the rules made under this Regulation, the Court before which he is convicted may direct that the explosive or ingredient of the explosive or the substance (if any) in respect of which the offence has been committed or any part of that explosive, ingredient or substance, shall, with the receptacles containing the same, be forfeited.

Abetment and attempts.

10. Whoever abets within the meaning of the Indian Penal Code as in force in the territories of Mysore the commission of an offence punishable under this Regulation, or the rules made under this Regulation, or attempts to commit any such offence, and in such attempt does any act towards the commission of the same, shall be punished as if he had committed the offence.

Sections 11-14.

11. Whoever is found committing any act for which he is punishable under this Regulation or the rules under this Regulation, and which tends to cause explosion or fire in or about any place where an explosive is manufactured or stored or any railway or any carriage, may be apprehended without a warrant by a police officer or by the occupier of, or the agent or servant of, or other person authorized by the occupier of, that place or by any agent, or servant of, or other person authorized by the railway administration, and be removed from the place where he is arrested and conveyed as soon as conveniently may be before a Magistrate.

Power to arrest without warrant persons committing dangerous offences.

12. Nothing in this Regulation shall apply to the manufacture, possession, use, sale, transport or importation of any explosive,

(*a*) by order of the Government of Mysore, or,

(*b*) by any person employed under that Government in the execution of this Regulation, or as a keeper of a magazine, artizan, policeman or otherwise, or enrolled as a volunteer under the Indian Volunteers Act, XX of 1869, in the course of his employment or duty as such.

Saving for manufacture, possession, use, sale, transport or importation by Government.

13. Nothing in this Regulation shall affect the provisions of the Indian Arms Act, 1878, as in force in the territories of Mysore, or any law for the time being in force relating to the manufacture, conversion, possession, transport and sale of arms, ammunition and military stores:

Provided that an authority granting a license under this Regulation for the manufacture, possession, sale, transport, or importation of an explosive may, if empowered in this behalf by the rules under which the license is granted, direct by an order written on the license that it shall have the effect of a like license granted under the said Indian Arms Act.

Saving of Indian Arms Act, 1878.

14. Nothing in this Regulation or the rules under this Regulation shall prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Regulation or those rules or from being liable under that other law to any other or higher punishment or penalty than that provided by this Regulation or those rules:

Saving as liability under other law.

Section 15.

Provided that a person shall not be punished twice for the same offence.

Procedure for making, publication and confirmation of rules.

15. (1) Before making any rules under this Regulation the Government of Mysore shall publish a draft of the proposed rules for the information of persons likely to be affected thereby.

(2) The publication shall be made in such manner as the Government of Mysore, from time to time, may consider adequate.

(3) There shall be published with the draft a notice specifying a date at or after which the draft will be taken into consideration.

(4) The Government of Mysore shall receive and consider any objection or suggestion which may be made by any person with respect to the draft before the date so specified.

(5) A rule made under this Regulation shall not take effect until it has been published in the official Gazette.

(6) The publication in the official Gazette of a rule purporting to be made under this Regulation shall be conclusive evidence that it has been duly made.

(7) All powers to make rules conferred by this Regulation may be exercised from time to time as occasion requires.

K. SHESHADRI IYER,
Dewan of Mysore.

GPB—200—9-6-15.

17. Procedure in granting a license for general transport.
18. Procedure in transporting explosives under license for general transport.
19. Procedure in issuing passes.

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CHAPTER V.

MANUFACTURE, POSSESSION AND SALE.

Manufacture.

20. When license to manufacture is requisite.
21. Conditions to be observed by persons filling cartridges.
22. Conditions to be observed by persons adapting or preparing cartridges

Possession.

23. When license to possess is requisite.
24. Saving of general prohibition under the Regulation.

Sale.

25. When license for sale is requisite.

NOTIFICATION.

No. G. 9745—Geol. 69-15-17, dated 18th January 1918.

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In Notification No. G. 1905—Geol. 69-15-10, dated 11th August 1917, the t of the Rules under the Mysore Explosives Regulation, II of 1888, revised on lines of those of the Government of India issued in 1914 with necessary modi- ions to suit local conditions for regulating the manufacture, possession, use, transport and importation of explosives was notified; and objections and sug- ons, if any, were invited from the public on or before the 1st October 1917, but bjections or suggestions have been received. After duly considering the ndments proposed, the Government of His Highness the Maharaja are of on that they are suitable and necessary. The following revised rules are dingly approved and published for general information.

By Order,

C. S. BALASUNDARAM IYER,

Chief Secretary to Government

RULES UNDER THE MYSORE EXPLOSIVES REGULATION, No. II OF 1888, FOR THE MANUFACTURE, POSSESSION, USE, SALE, TRANSPORT AND IMPORTATION OF EXPLOSIVES.

CHAPTER I.

PRELIMINARY.

Short title.

1. These rules may be called the Mysore Explosives Rules, 1917.

Supersession of previous notifications; and savings.

2. All previous notifications made by the Government of His Highness the Maharaja of Mysore are hereby superseded, but all licenses or duplicates granted or renewed, all fees imposed or levied and all powers conferred by or under any notification so superseded shall, so far as they are consistent herewith, be deemed to have been respectively granted, renewed, imposed, levied or conferred hereunder.

General exemptions.

3. Nothing in these rules shall apply—

(i) to the manufacture, possession, sale, packing, transport or importation of toy fireworks, such as paper caps for toy pistols, under such conditions and in such quantities as the Government may, on the recommendation of the Director, Department of Mines and Geology, or the Inspector of Explosives, from time to time, determine:

(i) to the packing, transport or importation of capped safety cartridge cases, if otherwise empty, when packed, transported or imported in the same consignment with arms covered by a license granted under the Mysore Arms Regulation of 1890;

(iii) to

(*a*) the manufacture, possession and sale of tri-nitro-toluol, or

(*b*) the transport and importation of the same when it is packed in staunch and substantial barrels or in cases constructed of wood not less than one inch in thickness.*

Definitions.

4. In these rules, unless there is anything repugnant in the subject or context:—

(1) "The Regulation" means the Mysore Explosives Regulation, II of 1888.

(2) "Ammunition" means any explosive when the same is enclosed in any case or contrivance, or is otherwise adapted or prepared, so as to form—

(*a*) a cartridge or charge for small-arms, cannon or any other weapon, or blasting, or

(*b*) a safety or other fuze for blasting or for shells, or

(*c*) a tube for firing explosives, or

(*d*) a percussion cap, detonator, fog-signal, shell, torpedo, war racket, or any other contrivance other than a fire-work.

(3) "Authorized explosive" means an explosive included in a list of authorised explosives prepared by the Inspector of Explosives under the guidance of the Director, Department of Mines and Geology, and published with the approval of the Government of His Highness the Maharaja of Mysore and in force for the time being.

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* Further exemptions are made by section 12 of the Mysore Explosives Regulation of 1888 which runs as follows:—

Saving for manufacture, possession, use, sale, transport or importation by Government.

Nothing in this Regulation shall apply to the manufacture, possession, use, sale, transport or importation of any explosive—

(*a*) by order of the Government of Mysore or

(*b*) by any person employed under that Government in the execution of this "Regulation, or as a keeper of a magazine, artizan, soldier, sailor, policeman or otherwise, or enrolled as a volunteer, under the Indian Volunteers Act, XX of 1869, in the course of his employment or duty as such."

Precautions to be observed during loading and unloading.

RULES.

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112. Loading and unloading of Government explosives.
113. Maximum number of vehicles to be dealt with at a time.
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Marshalling and Shunting.

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117. Position of vehicles in the train.
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121. Brakes.

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4. TABLE OF DISTANCES.

(2) When any explosive falls within more than one of the said classes, it shall be deemed to belong exclusively to the latest of such classes.

Division of nitro-compounds.

6. Nitro-compounds shall, for the purposes of these rules, be sub-divided as follows, namely:—

(*a*) Division 1, comprising—

(i) such explosives, as—

Ballistite,	Dynamite,
Blasting gelatine,	Gelatine dynamite,
Carbonite,	Gelignite,
Cordite,	Nitro-glycerine, and

Stonite, and

(ii) any chemical compound or mechanically mixed preparation which consists either wholly or partly of nitro-glycerine or some other liquid nitro-compound; and

(*b*) Division 2, comprising—

(i) such explosives, as—

Amberite No. 2,	Gun-cotton,
Ammonite,	Picric powder.
Bellite,	Roburite,
Coopal's powder,	Schultz's powder, and
E. C. Sporting powder.	Tonite (or cotton powder),

and

(ii) any nitro-compound, as hereinbefore defined, which is not comprised in Division 1.

Division of chlorate-mixtures.

7. Chlorate-mixtures shall for the purposes of these rules, be sub-divided as follows, namely:—

(*a*) Division 1, comprising—

(i) such explosives, as—

Permonite, and
Polarite and

(ii) any chlorite preparation which consists partly of nitro-glycerine or of some other liquid nitro-compound, and

(*b*) Division 2, comprising—

(i) such explosives, as—

Cheddite, and
Steelite, and

(ii) any chlorate-mixture, as hereinbefore defined, which is not comprised in Division 1.

Division of fulminates.

8. Fulminates shall, for the purposes of these rules, be sub-divided as follows, namely:—

(*a*) Division 1, comprising such compounds as the fulminates of silver and of mercury, and preparations of those substances, such as are used in percussion-caps, and any preparation consisting of a mixture of a chlorate with phosphorus, or certain descriptions of compounds of phosphorus, with or without the addition of carbonaceous matter, and any preparation consisting of a mixture of a chlorate with sulphur, or with sulphuret, with or without carbonaceous matter; and

(*b*) Division 2, comprising such substances as the chloride and the iodide of nitrogen, fulminating gold and silver, diazobenzol, and the nitrate of diazobenzol.

Division of ammunition.

9. Ammunition shall, for the purposes of these rules, be sub-divided as follows, namely:—

(*a*) Division 1, comprising exclusively—

Safety cartridges,
Safety fuzes for blasting,
Railway fog-signals, and
Percussion-caps; and

(4) "Chlorate-mixture" means any explosive containing a chlorate.

(5) "Detonator" means a capsule or case which is of such strength and construction, and contains fulminate in such quantity that the explosion of one capsule or case would communicate the explosion to other like capsules or cases.

(6) "District Magistrate" means—

The Senior Magistrate of the District.

(7) "Fulminate" means any chemical compound or mechanical mixture whatever, which, from its great susceptibility to detonation, is suitable for employment in percussion caps or any other appliance for developing detonation, or which, from its extreme sensibility to explosion and from its great instability (that is to say, readiness to undergo decomposition from very slight exciting causes), is especially dangerous.

(8) "Gunpowder" means gunpowder ordinarily so called.

(9) "Nitrate-mixture" means any preparation, other than gunpowder, which is formed by the mechanical mixture of nitrate with any form of carbon or with any carbonaceous substance not possessed of explosive properties, whether sulphur be or be not added to such preparation, and whether such preparation be or be not mechanically mixed with any other non-explosive substance:

and includes such explosives as—

Chilworth special powder,	Bobbinite, and
Ammonal,	Westfallite.

(10) "Nitro-compound" means any chemical compound which is possessed of explosive properties or is capable of combining with metals to form an explosive compound, and is produced by the chemical action of nitric acid (whether mixed or not with sulphuric acid), or of a nitrate mixed with sulphuric acid, upon any carbonaceous substance, whether such compound is mechanically mixed with other substances or not.

(11) "Small-arm nitro-compound" means a nitro-compound adapted and intended exclusively for use in cartridges for small-arms.

(12) "Safety cartridge"—

(i) means a cartridge for small-arms, the case of which can be extracted from the small-arm after firing, and which is so closed as to prevent any explosion in one cartridge being communicated to other cartridges; and

(ii) includes a rifle-calibre machine-gun cartridge, if it is as described in clause (i) whether it is for use with a machine-gun having chambers identical with those of rifles or with a machine-gun having special chambers:

Provided that the diameter of the cartridge in either case (i) or case (ii) does not exceed one inch.

(13) "Safety fuze" means a fuze for blasting which burns and does not explode, and which does not contain its own means of ignition, and which is of such strength and construction, and contains an explosive in such quantity, that the burning of such fuse would not communicate laterally with other like fuzes.

(14) "Import" means to bring into the territories of Mysore by land or air.

CHAPTER II.

CLASSIFICATIONS OF EXPLOSIVES.

Classes of explosives.

5. (1) For the purpose of these rules, explosives shall be classified as follows, namely:—

Class 1	Gunpowder.
Class 2	Nitrate-mixture.
Class 3	Nitro-compound.
Class 4	Chlorate-mixture.
Class 5	Fulminate.
Class 6	Ammunition.
Class 7	Firework.

IMPORTATION.

When license to import is requisite.

11. No explosive shall be imported into the Mysore State.

(*i*) Unless it is an authorised explosive,

(*ii*) except under and in accordance with the conditions of a license granted under these rules:

3 a

Provided that nothing in sub-clause (ii) of this rule shall apply to—

Any explosive coming under the head of ammunition as defined by the Mysore Arms Regulation, II of 1890, imported by any person lawfully entitled under the Regulation or the rules thereunder for the time being in force, to possess such explosives, in such quantities as may be prescribed by that Regulation or the rules thereunder for the time being in force, or (when no quantities are prescribed) in reasonable quantities for his own private use:

Further provided that when an explosive is so imported, the District Magistrate or any other officer empowered by the Government in this behalf may at any time detain such explosive until he receives the orders of the Government thereon.

Disposal of explosives imported.

12. An explosive imported shall, under such conditions as may be prescribed by the Government, be conveyed to and stored in a place set apart by the District Magistrate.

Delivery of samples by owner or person in charge of the magazine and the testing of such samples.

13. The person owning or being in charge of the magazine to which the explosive imported by land has been conveyed shall, if analysis or testing of the explosive is required, forthwith deliver without charge to such officer or person as may be appointed by the Government in this behalf such samples as he may require.

Distribution prohibited till license is granted.

14. The explosive shall not be removed or distributed from the place or magazine to which it has been conveyed under Rule 12 until a license has been granted for its importation and until the person in charge of the magazine has received notice from the licensing authority that it may be so removed or distributed.

~~CHAPTER IV.~~

TRANSPORT.

When license to transport is requisite.

15. Explosives required *bona fide* for blasting purposes shall not be transported except under and in accordance with a license granted under these rules:

Provided that nothing in this rule shall apply to:—

(*i*) the transport by the holder of a license in Form E of any of the explosives covered by his license, and of safety fuzes for blasting in such quantities as he may require for his private use.

(*ii*) the transport of explosives which are covered by a license for their importation and are being transported in accordance with such license from the port or other place of import to the place of destination.

~~*Licenses for the general transport of explosives for blasting.*~~

Application for license for general transport.

16. An application for a license in Form 1 (for the general transport of explosives for blasting purposes) shall be made in writing to the District Magistrate of the District from which the Explosives are required to be transported and shall state particulars [illegible] the place from which, and the place or places to which,

(*b*) Division 2, comprising any ammunition, as hereinbefore defined, which *does not contain* its own means of ignition and is not included in Division I, such as—

Cartridges for small-arms, other than safety cartridges,
Cartridges and charges for cannon, shells, mines, blasting or other like purposes,
Shells and torpedoes containing any explosive,
Fuzes for blasting, other than safety fuzes,
Fuzes for shells,
Tubes for firing explosives, and
War-rockets,
which do not contain their own means of ignition; and

(*c*) Division 3, comprising any ammunition, as hereinbefore defined, which *contains* its own means of ignition and is not included in Division 1, such as—

Detonators,
Cartridges for small-arms, which are not safety cartridges,
Fuzes for blasting, which are not safety fuzes,
Fuzes for shells, and
Tubes for firing explosives,
containing their own means of ignition.

Explanations.—The expression "ammunition containing its own means of ignition" means ammunition having an arrangement, whether attached to or forming part of the ammunition, which is adapted to explode or fire the ammunition by friction or percussion.

The expression "percussion-cap" does not include a detonator.

Division of fireworks.

10. Fireworks shall, for the purposes of these rules, be sub-divided as follows, namely:—

(*a*) Division 1, comprising *fire work compositions*, that is to say,—

(*i*) any chemical compound or mechanically mixed preparation of an explosive of inflammable nature, which is used for the purpose of making manufactured fireworks, and is not included in any of the foregoing definitions.

(*ii*) any star, and

(*iii*) (except as declared in the proviso to this rule) any coloured fire composition; and

(*b*) Division 2, comprising *manufactured fireworks*, that is to say any explosive of Class 1, 2, 3, 4 or 6 and any firework composition, when such explosive or composition is enclosed in any case or contrivance, or is otherwise manufactured so as to form a squib, cracker, toy cap or amorce, serpent rocket (other than a war-rocket), moroon, lance, wheel, Chinese fire, Roman candle, or other article, specially adapted for the production of pyrotechnic effects or pyrotechnic signals or sound signals;

Provided that a substantially constructed and hermetically closed metal case, containing not more than one pound of coloured fire composition of such a nature as not to be liable to spontaneous ignition, shall be deemed to be a "manufactured firework" and not a "firework composition."

CHAPTER III.

Procedure in transporting explosives under license for general transport.

18. Every consignment of explosives transported under a license in Form 1 shall be accompanied by a pass issued by the licensee in the form prescribed in Form 1; and such pass shall (if the consignment be despatched by rail) be attached to the way-bill or invoice, as the case may be.

Procedure in issuing passes.

19. A copy of every pass issued under under rule 18 shall forthwith be sent.

(*i*) to the licensing authority; and

(*ii*) when the place to which the consignment is sent is outside the local limits of the licensing officer, to the officer indicated in Rule 17.

CHAPTER V.

MANUFACTURE, POSSESSION AND SALE.

Manufacture.

When license to manufacture is required.

20. An explosive shall not be manufactured except under and in accordance with the conditions of a license granted under these rules for such manufacture:

Provided that no license under this rule to manufacture shall be necessary—

(*a*) for the making of a small quantity of an explosive for the purpose of chemical experiment and not for practical use or for sale; or

(*b*) for the filling for private use, and not for sale, of any safety cartridges to the amount allowed by these rules to be possessed for private use: or

(*c*) in the case of any person who, holding a license under these rules to possess an explosive—

(*i*) fills with the said explosive, for sale or otherwise, cartridges for small-arms; or

(*ii*) by filling cartridges, making charges, or drying, sifting, fitting or otherwise, adapts or prepares the said explosive for use exclusively in his mine or quarry in some excavation or work carried on by him or under his control.

Conditions to be observed by persons filling cartridges.

21. The following condition shall be observed by every person filling cartridges for small-arms under clause (*c*) (*i*) of the proviso to rule 20:—

(*a*) there shall not be in the room in which such filling is being carried on more than five pounds of gunpowder or three pounds of any other explosive unless it is made up into safety cartridges;

(*b*) no work unconnected with the making of cartridges shall be carried on in the said room, while such filling is being carried on;

(*c*) there shall not be in the said room, while such filling is being carried on, any fire or any artificial light, except a light of such construction, position and character as not to cause any danger of fire or explosion;

(*d*) if filling is done on magazine premises, the said room shall be detached from the magazine, but shall be situated in the immediate neighbourhood thereof and at such distance therefrom as may be specified on the license by the authority granting the same; and

(*e*) the licensee shall previously give notice to the authority which granted his license that he intends to carry on such filling of cartridges as is allowed by this rule and have the license endorsed by such authority.

22. The following conditions shall be observed by every person adapting or preparing explosives under clause (c) (ii) of the proviso to rule (20):—

Conditions to be observed by persons adapting or preparing cartridges.

(a) there shall not be in the workshop in which such adaptation or preparation is carried on more than one hundred pounds of gunpowder; or twenty-five pounds of any other explosive;

(b) no work unconnected with such adaptation or preparation shall be carried on in the said workshop, while such adaptation or preparation is being carried on;

(c) the said workshop shall be detached from the magazine or licensed premises, but shall be situated in the immediate neighbourhood thereof and at such distance therefrom as may be specified on the license by the authority granting the same;

(d) an explosive of one description shall not be converted into an explosive of another description, and an explosive shall not be unmade or resolved into its ingredients; and

(e) the licensee shall previously give notice to the authority which granted his license that he intends to carry on such adaptation or preparation as is allowed by this rule and have the license endorsed by such authority.

The provision of clauses (c) and (e) shall not apply to the fitting of the fuse and detonator into explosive, but such operations shall not be carried on in the magazine.

Possession.

23. An explosive shall not be possessed except under and in accordance with the conditions of a license granted under these rules for possession:

When license to possess is requisite.

Provided that no license under these rules shall be necessary for the possession—

(a) of any explosive by a carrier or other person for the purpose of transport, when the same is being kept or transported in accordance with these rules;

(b) by any person who is lawfully entitled under the Mysore Arms Regulation, II of 1890, or the rules for the time being in force thereunder, to possess any explosive coming under the head of ammunition as defined in that Regulation of such explosives in such quantities as may be prescribed by the said Regulation or rules, or, when no quantities are so prescribed, in reasonable quantities for his own private use; or

(c) by any person, of explosives under and in accordance with the conditions of a permit granted under rule 57; rule 58; or rule 59,

(d) by any person, of manufactured fireworks in any quantity—

(i) in a Municipality, not exceeding fifty pounds,

(ii) elsewhere, not exceeding two hundred pounds,

when the same are obtained and intended by such person for immediate use and not for sale and are possessed by him for a period not exceeding fourteen days, and when they are kept in a substantial receptacle which is exclusively appropriated to the keeping of explosives and is closed and secured so as to prevent unauthorised persons from having access to the explosives and subject to the condition that the possession is covered by a permit to be issued full of cost by a Magistrate of the first class or a Police Officer not below the rank of an Assistant Superintendent of Police;

(e) by any person for his own private use and not for sale, of—

(i) gunpowder in any quantity not exceeding thirty pounds; or

(ii) safety cartridges made with gunpowder and containing in all not more than one hundred and fifty pounds of gunpowder; or

(iii) cartridges (non-safety) for small-arms, made with gunpowder and containing in all not more than five pounds of gunpowder; or

(iv) cartridges for cannon or blasting, made with gunpowder, and not containing their own means of ignition, and containing in all not more than thirty pounds of gunpowder; or

(v) cartridges for small-arms, made with small-arm nitro-compound and containing in all not more than ten pounds of small-arm nitro-compound; or

(vi) a small-arm nitro-compound in any quantity not exceeding ten pounds; or

(vii) percussion-caps; or

(viii) safety fuzes for blasting; or

(ix) railway fog-signals and flare-lights when kept by a railway company for use on their railway;

Provided that the quantity of explosive kept by any person under clause *(e)* shall be in substitution of the like quantity by weight of any other explosive which might otherwise be so kept by him and, that the quantity of such other explosive shall be reduced accordingly; and, further, that if the explosive so kept for private use under this clause is in any other form than that of cartridges for small-arms, the explosive of which the quantity is so to be reduced shall be some explosive other than safety cartridges made with gunpowder.

Saving of general prohibition under the Regulation.

~~24. Nothing in rule 20 or rule 23 shall be deemed to authorise the manufacture or possession of an explosive in contravention of any prohibition notified under section 5 of the Regulation and for the time being in force.~~

Sale.

When license for sale is requisite.

25. An explosive shall not be sold except under and in accordance with the conditions of a license granted under these rules for such sale:

Provided that this rule shall not apply to the sale by any person of an explosive which he is lawfully entitled to possess for his own private use to any person who is lawfully entitled to possess the same.

Provided further that this rule shall not also apply to any person who delivers explosives to those who contract to do work for him, for use in such work, although in paying for such work he may make a charge for the explosive so used—provided that such explosive is used and stored under his own supervision.

Grant of licenses.

Forms of licenses, licensing authorities and fees.

38. (1) Licenses for the importation, transport, manufacture, possession or sale of an explosive may be granted by the licensing authorities set forth in Schedule I in the forms, for the purposes, subject to the conditions and on payment of the fees specified therein.

Validity of license.

(2) Licenses granted in accordance with the provisions of these rules shall be valid for such period as is specified in column 7 of Schedule I.

Time for making application for the renewal of a license.

45. Every application for the renewal of a license shall be made at a date not less than thirty days before the date on which the original license expires, and if the application is so made, the magazine or premises shall be held to be duly licensed until such date as the licensing authority issues the renewed license or until an intimation that the renewal of the license is refused has been communicated to the applicant.

49. (1) When any person holding a license under these rules dies, or is adjudicated an insolvent, or is otherwise disqualified by operation of law from continuing the business in respect of which the license was granted, any person carrying on such business shall forthwith apply to the proper licensing authority for the grant of a new license in his own name for the unexpired portion of the original license.

Death, etc., of licensee.

General Provisions as to licenses.

51. (1) Every person holding a license, or acting under a license, granted under these rules shall be bound to produce the same, or an authenticated copy kept at the magazine or place to which the license applies, when called upon to do so y the Inspector of Explosives, or any Magistrate, or any Police Officer not below ne rank of an Inspector and in the Bowringpet Taluk or any duly notified mining ocality by an Inspector of Mines.

Production of licenses or asses on demand.

(2) Any person in charge of a consignment of blasting materials under cover f a pass, issued by a holder of a license in Form 1 of Schedule II, shall be bound o produce such pass when called upon to do so by any of the officers aforesaid.

(3) Copies of any license may, for the purposes of this rule, be authenticated free of charge by any of the officers aforesaid or by the authority which granted he license.

58. A permit may be granted to any person to possess, in a municipality, manufactured fireworks in any quantity exceeding fifty pounds but not exceeding two hundred pounds and for any period not exceeding fourteen days, provided that such fireworks are obtained and intended by such person for immediate use and not for sale and are kept in a substantial receptacle which is exclusively appropriated to the keeping of explosives and is closed and secured so as to prevent unauthorised persons from having access to them.

Permit for temporary possession of fireworks by non-licensees.

Such permit shall be granted by a Magistrate of the first class or a Police Officer not below the rank of an Assistant Superintendent of Police.

Powers of Search and Destruction.

125. (1) Any of the officers mentioned in clause (2) may within the areas specified in that clause, but subject to the provisions of the Mysore Arms Regulation, 1890, and of any rules for the time being in force thereunder, in cases to which that Regulation applies—

Powers of search and destruction.

(*a*) enter, inspect and examine any place, or carriage in which an explosive is being manufactured, possessed, used, sold, transported or imported under a license granted under these rules, or in which he has reason to believe that an explosive has been or is being manufactured, possessed, used, sold, transported or imported in contravention of the Mysore Explosive Regulation, II of 1888, or of these rules and may enter, inspect and examine any magazine or place in which explosives are stored under the provisions of rule 12;

(*b*) search for explosives therein;

(*c*) take samples of any explosives found therein, on payment of the value thereof if payment can be made at the time the samples are taken and

(*d*) seize, detain, remove and, if necessary, for the public safety destroy or otherwise render harmless any explosive found therein in respect of which he has reason to believe that any of the provisions of the said rules or Regulation have been contravened.

(2) The officers and areas referred to in clause 1 are :—

Officers	Areas
The Inspectors of Explosives or any person specially deputed in this behalf by the Mysore Government.	In all parts of Mysore.
All District Magistrates	Within their respective districts.
All Magistrates subordinate to the District Magistrate.	Within their respective jurisdictions.
The Inspector-General of Police and all Police Officers of the rank not below that of Inspector.	Within their respective jurisdictions.
Inspectors of Mines	In duly notified mining localities.

(3) Whenever the Inspector of Explosives, or any Magistrate subordinate to the District Magistrate, or any Police Officer, seizes, detains or removes any explosive under this rule, he shall report the fact to the District Magistrate.

(4) Neither the Inspector of Explosives, nor any Magistrate subordinate to the District Magistrate nor any Police Officer shall under these rules destroy or otherwise render harmless any explosive without the previous sanction of the District Magistrate unless the matter appears urgent and fraught with serious public danger.

(5) Whenever any officer destroys any explosive or otherwise render it harmless, he shall take and keep a sample thereof, and shall if required, give a portion of the sample to the person owning the explosive or having the same under his control at the time of seizure; and whenever any officer other than the District Magistrate so deals with any explosive, he shall report the circumstance to the District Magistrate.

Penalties.

Penalties.

126. Whoever commits any offence mentioned in the first column of the following table shall be punishable with fine which may extend to the amount indicated in that behalf in the second column of that table:—

1	2
(1) Importing an explosive in contravention of rules 11 and 12.	Three thousand rupees.
(2) Contravening any of the provisions of rule 13, or rule 14 relating to importation of explosives.	One thousand rupees
(3) Transporting blasting material in contravention of rule 15.	One thousand rupees.
(4) Manufacturing an explosive in contravention of rule 20.	Three thousand rupees.
(5) Contravening any of the provisions of rules 21 and 22 relating to the manufacture of explosives.	One thousand rupees.
(6) Possessing an explosive in contravention of rule 23...	One thousand rupees.
(7) Selling an explosive in contravention of rule 25 ...	Five hundred rupees.
(8) Contravening a condition of a license granted under article 1, or article 9 of Schedule I.	Three thousand rupees.
(9) Contravening a condition of a license granted under article 3, article 4, article 5, article 6, article 7, article 8, article 14, or article 15 of Schedule I.	Five hundred rupees.
(10) Contravening a condition of a license granted under article 2, article 10, article 11, article 12, or article 13 of Schedule I.	One thousand rupees.
(11) Contravening any direction given under rule 47, for the disposal of an explosive.	One thousand rupees.
(12) Failing to produce a license (or authenticated copy thereof) or pass when called upon to do so under rule 51.	Two hundred rupees.
(13) Contravening any of the provisions of Chapter VIII relating to the transporting of explosives.	One thousand rupees.
(14) Furnishing a false certificate under rules 86, 91, 94 and 122.	Two hundred rupees.

Exemptions.

Saving as to acts done in emergency, etc.

127. Nothing in these rules shall render liable to any penalty, any carrier, or ware-houseman or the person having charge of any carriage for any act done in breach of these rules, if he proves that by reason of stress of weather, inevitable accident, or other emergency, the doing of such act was under the circumstances, necessary and proper.

SCHEDULE I.

Licenses (vide rule 31).

No.	Form of License. (See Schedule II)	Purpose for which granted	Kinds and maximum quantities of explosives for which granted	Authority entitled to grant license	Fee	Period for which license is valid
1	2	3	4	5	6	7
			IMPORTATION.			
1	Such form as the non'ble the British Resident in Mysore may prescribe.	*To import ..	Any authorised explosive not exceeding the quantity authorised to be possessed.	The Hon'ble the Resident in Mysore.	Rs. 5	
			TRANSPORT.			
2	1	For the general transport of explosives required for blasting purposes by a holder of a license in Form F or Form J or by a person storing blasting explosives in a magazine licensed by Government. from the place of storage or the magazine as the case may be to such place or places as the licensing authority may specify.	Any authorised explosive not exceeding the quantity licensed to be possessed.	The District Magistrate of the District from which the explosive is to be transported.	Free of charge	One year from the issue of the license or such less period as the licensing authority may prescribe.
			MANUFACTURE, POSSESSION AND SALE.			
3	A	To manufacture, possess and sell at such place as may be approved by the licensing authority.	(i) Two hundred pounds in all of gunpowder and small-arm nitro-compound. together with any quality of explosives contained in ammunition (Division 1), or (ii) Two hundred pounds of manufactured fireworks, or	The District Magistrate.	Conveying the maximum quantity of explosives allowed or any less quantity exceeding one-half such maximum ... ... 20 Covering half such maximum or any less quantity exceeding one-fourth ... ... 10 Covering one-fourth such maximum or any less quantity ... 5 Where the applicant holds and produces a license in Form III of the forms prescribed by the Mysore Arms Regulations, 1890.	Up till the 31st day of December of the year for which the license is issued.
4	B	To possess and sell at such place as may be approved by the licensing authority.	(iii) Sixty pounds in all of gunpowder, small-arm nitro-compounds and manufactured fireworks together with any quantity of explosives contained in ammunition (Division 1), or (iv) Any such less quantity of any of the said explosives as the licensing authority may think fit to specify in the license.		Covering the maximum quantity of explosives allowed or any less quantity exceeding one-half such maximum ... ... 10 Covering half such maximum or any less quantity exceeding one-fourth ... ... 5 Covering one-fourth such maximum or any less quantity. ... 2-8 Where the applicant holds and produces a license in Form III or Form II of the forms prescribed under the Mysore Arms Regulation, 1890.	
5	C	To possess at such place as may be approved by the licensing authority.			Annas 8.	

* Application for the import of explosives from British India into the Mysore State should be submitted to the Honourable the Resident in Mysore together with the license granted to the applicant for possession of explosives.

Number	Form of License (See Schedule II)	Purpose for which granted	Kinds and maximum quantities of explosives for which granted	Authority entitled to grant license	Fee	Period for which license is valid
1	2	3	4	5	6	7
			MANUFACTURE, POSSESSION AND SALE—*contd.*			
6	D	To manufacture, possess and sell, or to possess and sell or to possess (in a village or other rural area) at such place as may be approved by the licensing authority.	Two hundred pounds of manufactured fire-works and their ingredients or any such less quantity as the licensing authority may think fit to specify in the license.	The District Magistrate.	Half the fees chargeable on the same explosive in the same quantity in Articles 3 and 4 respectively. If the license is for possession only the same fee as in Article 5.	Up till the 31st day of December of the year which the license is issued.
7	E	To possess (granted to contractors, cultivators and other persons only when the explosives are proved to the satisfaction of the licensing officer to be required *bona fide* for blasting purposes).	One hundred pounds of gunpowder, ten pounds of other explosive and one hundred detonators.	The District Magistrate.	Free of charge.	
8	E		One hundred pounds of gunpowder.	The District Magistrate or any Magistrate of the first class specially authorised by the District Magistrate in this behalf.		
9	Such form as the Government may prescribe	To manufacture [in cases not provided for in Articles (3) and (7)].	Any explosive in any quantity.	The Government of Mysore.	Such fee as the Government may prescribe.	
10		To possess ...	Fulminates ...			
11	F	To possess [in cases not provided for (in Articles (3), (4), (5), (6), (7), or (8)] at such place as may be approved by the licensing authority.	Any explosive (not being a fulminate) in any quantity not exceeding sixty pounds.	The District Magistrate.	Rs. 5.	
12	J	To possess [in cases not provided for in Articles (3), (4), (5), (6), (7), (8) or (11)] in a Magazine.	Any explosive (not being a fulminate) in any quantity.	The Government or such officer as the Government may authorise in this behalf.	Rs. 15.	
13		To possess in and sell (in cases not provided for in Articles (4) or (6) from a magazine.	Any explosive not (being a fulminate) in any quantity.		Rs. 20.	
14	K	To the holder of a license to possess any explosive to sell such explosive.	Any authorised explosive not exceeding the quantity licensed to be possessed.	The District Magistrate.	Rs. 50.	Up till the 31st day of December of the year for which the license is issued.
15	L	To sell from a magazine in connection with which a license has been granted under Article (12) or (13).	Gunpowder, or small-arm nitro-compound or ammunition (Division 1) or fire-works in any quantity.			

SCHEDULE II.

FORM 1.

[*Article 2 of Schedule 1.*]

[FREE OF CHARGE.]

General license to transport explosives required for blasting purposes.

(To be granted to holders of licenses in Forms F, or J contained in Schedule II to the Mysore Explosives Rules, 1917, or to those storing blasting explosives in a magazine licensed by a Municipality.)

A general license is hereby granted to.....

.....

to transport explosives required for blasting purposes from.....

.....

to the places specified below, subject to the conditions hereinafter contained.

Places of destination.....

The license shall continue in force till the.....

The.....191

Seal.

(*Signature.*)

Conditions of License.

1. The license is subject to the Mysore Explosives Regulation, 1888, and to the rules made thereunder.

2. It becomes void on the expiration of the term mentioned, or if a consignment breaks bulk before reaching the place of destination, or if the explosive is taken from or to any place other than the places mentioned in the license.

3. It authorises the licensee to deliver consignments of explosives required for blasting purposes from and to the places specified in the license: provided—

(*i*) that the consignee has taken out a license for the possession of such explosives [iv of 1884] under the Mysore Explosives Regulation, 1888.

(*ii*) that the quantity of explosives despatched to any consignee is not in excess of the quantity which such consignee is entitled to possess;

(*iii*) that each consignment of explosives is covered by a pass in the form appended hereto; and that (when the explosives are transported by rail) such pass shall be attached to the way-bill or invoice (as the case may be);

(*iv*) that a copy of the pass issued with each consignment is forthwith sent to the authority granting the license and (in cases where the explosives are being transported to a place beyond the local limits of the jurisdiction of such authority) also to the Magistrate of the district to which the explosives are consigned;

(*v*) that any loss, shortage or theft of explosives in transit is reported without delay to the licensing authority and to the police station in the jurisdiction of which the loss, shortage or theft is discovered.

(6)

ACTS AND REGULATIONS PASSED BY HIS HIGHNESS THE MAHARAJA OF MYSORE.

GOVERNMENT OF MYSORE.

LEGISLATIVE DEPARTMENT.

Regulation No. VI of 1890.

The following Regulation received the assent of His Highness the Maharaja on the fifth day of December 1890, and is hereby promulgated for general information :—

A Regulation to consolidate and amend the law relating to Arms, Ammunition and Military Stores.

Preamble.

WHEREAS it is expedient to consolidate and amend the law relating to arms, ammunition and Military stores; His Highness the Maharaja is pleased to enact as follows :—

I.—Preliminary.

Short title.
Local extent.

1. This Regulation may be called "The Mysore Arms Regulation, 1890," it extends to the whole of the Territories of and Mysore.

Savings.

But nothing herein contained shall apply to the manufacture, conversion, sale, transport, bearing or possession of arms, ammunition or Military stores by order of the Government, or by a public servant or a volunteer enrolled under the Indian Volunteer's Act, 1869, in the course of his duty as such public servant or volunteer.

Commencement.

2. This Regulation shall come into force at once.

Repeal of Enactments.

3. Act No. XI of 1878 (The Indian Arms Act, 1878) shall be repealed. But all authorities and permissions given, licenses and exemptions granted, orders and appointments made, notifications published, and rules, conditions, and forms prescribed under that Act shall be deemed to be respectively given, granted, made, published and prescribed under this Regulation.

And all such authorities, permissions, licenses and exemptions shall, except as otherwise provided by this Regulation, continue in force for the periods for which they may have been given or granted respectively, or, where no such period is expressly fixed, for one year from the date on which this Regulation comes into force, and shall then cease to have effect.

Interpretation-clause.

4. In this Regulation unless there be something repugnant in the subject or context—

"Cannon" includes also all howitzers, mortars, wall pieces, mitraillenses and other ordnance and machine-guns, all parts of the same, and all carriages, platforms, and appliances for mounting, transporting and serving the same:

"Arms" includes fire-arms, bayonets, swords, daggers, spears, spear-heads and bows and arrows, also cannon and parts of arms, and machinery for manufacturing arms :

"Ammunition" includes also all articles specially designed for torpedo service and submarine mining, rockets, guncotton, dynamite, lithofracteur and other explosive or fulminating material, gunflints, gunwads, percussion caps, fuses and friction tubes, all parts of ammunition and all machinery for manufacturing ammunition, but does not include lead, sulphur or saltpetre :

"Military Stores" in any section of this Regulation as applied to any part of the Territories of Mysore means any Military stores to which the Government of Mysore may from time to time by notification in the Official Gazette specially extend such section in such part, and includes also all lead, sulphur, saltpetre and other material to which the Government of Mysore may from time to time so extend such section:

"License" means a license granted under this Regulation, and "licensed" means holding such license.

II.—Manufacture, Conversion, Sale and Transport.

Unlicensed manufacture, conversion and sale prohibited.

5. No person shall manufacture, convert, or sell or keep, offer or expose for sale, any arms, ammunition or Military stores except under a license and in the manner and to the extent permitted thereby.

Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same; but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption under Section twenty-two of this Regulation shall, without unnecessary delay, give to the Magistrate of the district or to the officer in charge of the nearest Police station notice of the sale and of the purchaser's name and address.

Power to prohibit transport.

6. The Government of Mysore may, from time to time by notification in the Official Gazette—

(*a*) regulate or prohibit the transport of any description of arms, ammunition or Military stores over the whole of the Territories of Mysore or any part thereof, either altogether or except under a license and to the extent and in the manner permitted by such license, and

(*b*) cancel any such notification.

Arrest of persons conveying arms, &c., under suspicious circumstances.

7. When any person is found carrying or conveying any arms, ammunition or Military stores, whether covered by a license or not, in such manner or under such circumstances as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used for any unlawful purpose, any person may without warrant apprehend him and take such arms, ammunition or Military stores from him.

Procedure where arrest made by person not a Magistrate or a Police officer.

Any person so apprehended and any arms, ammunition or Military stores so taken by a person not being a Magistrate or Police officer shall be delivered over as soon as possible to a Police officer.

All persons apprehended by, or delivered to, a Police officer and all arms and ammunition seized by or delivered to any such officer under this section shall be taken without unnecessary delay before a Magistrate.

III.—Going armed and possessing arms, &c.

Prohibition of going armed without license.

8. No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby.

Any person so going armed without a license or in contravention of its provisions may be disarmed by any Magistrate, Police officer or other person empowered by the Government of Mysore in this behalf by name or by virtue of his office.

Unlicensed possession of fire-arms, &c.

9. No person shall have in his possession or under his control any cannon or fire-arms or any ammunition or Military stores except under a license and in the manner and to the extent permitted thereby.

Possession of arms of any description without license prohibited in certain places.

10. In any place to which the Government of Mysore may, by notification in the Official Gazette, specially extend this section, no person shall have in his possession any arms of any description except under a license and in the manner and to the extent permitted thereby.

11. Any person possessing arms, ammunition or Military stores, the possession whereof by him has, in consequence of the cancellation or expiry of a license or by the issue of a notification under Section ten, become unlawful, shall deposit the same without unnecessary delay with the officer in charge of the nearest Police station.

Arms of which possession has become unlawful to be deposited at Police station.

If the owner of anything deposited under this section does not within three years from the date on which such thing is so deposited produce a license authorizing him to possess the same and apply for delivery of the same, such thing shall be forfeited to His Highness the Maharaja of Mysore.

IV.—Licenses.

12. The Government of Mysore may, from time to time, by notification in the Official Gazette, make rules to determine the officers by whom, the form in which, and the terms and conditions on and subject to which, any license shall be granted; and may by such rules among other matters—

Power to make rules as to licenses.

(*a*) fix the period for which such license shall continue in force;

(*b*) fix a fee payable by stamp or otherwise in respect of any such license granted other than a license for possession;

(*c*) direct that the holder of any such license other than a license for possession shall keep a record or account in such form as the Government of Mysore may prescribe of anything done under such license, and exhibit such record or account when called upon by an officer of Government to do so;

(*d*) empower any officer of Government to enter and inspect any premises in which arms, ammunition or Military stores are manufactured or kept by any person holding a license of the description referred to in Section five;

(*e*) direct that any such person shall exhibit the entire stock of arms, ammunition and Military stores in his possession or under his control to any officer of Government so empowered; and

(*f*) require the person holding any license or acting under any license to produce the same, and to produce or account for the arms, ammunition or Military stores covered by the same when called upon by an officer of Government so to do.

Cancelling and suspension of license.

13. Any license may be cancelled or suspended—

(*a*) by the officer by whom the same was granted, or by any authority to which he may be subordinate, or by any Magistrate of a District within the local limits of whose jurisdiction the holder of such license may be, when, for reasons to be recorded in writing, such officer, authority or Magistrate deems it necessary for the security of the public peace to cancel or suspend such license; or

(*b*) by any Judge or Magistrate before whom the holder of such license is convicted of an offence against this Regulation, or against the rules made under this Regulation; and

the Government of Mysore may at its discretion by a notification in the Official Gazette cancel or suspend all or any licenses throughout the whole or any portion of the Territories of Mysore.

V.—Penalties.

For breach of Sections 5, 6, 8 to 12.

14. Whoever commits any of the following offences, (namely)—

(*a*) manufactures, converts or sells, or keeps, offers or exposes for sale any arms, ammunition or Military stores in contravention of the provisions of Section five;

(*b*) fails to give notice as required by the same section;

(*c*) transports any arms, ammunition or Military stores in contravention of a regulation or prohibition issued under Section six;

(*d*) goes armed in contravention of the provisions of Section eight;

(*e*) has in his possession or under his control any arms, ammunition or Military stores in contravention of the provisions of Section nine or Section ten;

(*f*) intentionally makes any false entry (on a record or account which, by a rule made under Section twelve, clause (*c*), he is required to keep;

(*g*) intentionally fails to exhibit anything which, by a rule made under Section twelve, clause (*e*), he is required to exhibit; or

(*h*) fails to deposit arms, ammunition or Military stores, as required by Section eleven;

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

For secret breaches of Sections 5, 6, 9 and 10.

15. Whoever does any act mentioned in clause (*a*), (*c*) or (*e*) of Section fourteen, in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian Penal Code, or to any person employed upon a Railway or to the servant of any public carrier,

For Concealing arms, &c.

and whoever, on any search being made under Section twenty, conceals, or attempts to conceal any arms, ammunition or Military stores,

shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

For breach of license.

16. Whoever, in violation of a condition subject to which a license has been granted, does or omits to do any act shall, when the doing or omitting to do such act is not punishable under Section fourteen or Section fifteen, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

For knowingly purchasing arms, &c., from unlicensed person.

17. Whoever knowingly purchases any arms, ammunition or Military stores from any person not licensed or authorized under the proviso to Section five to sell the same; or

For delivering arms, &c., to person not authorized to possess them.

delivers any arms, ammunition or Military stores into the possession of any person without previously ascertaining that such person is legally authorized to possess the same;

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Penalty for breach of rule.

18. Any person violating any rule made under this Regulation, and for the violation of which no penalty is provided by this Regulation, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

Power to confiscate.

19. When any person is convicted of an offence punishable under this Regulation committed by him in respect of any arms, ammunition or Military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or Military stores, and any cart or baggage animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

VI.—Miscellaneous.

Search and seizure by Magistrate.

20. Whenever any Magistrate has reason to believe that any person residing within the local limits of his jurisdiction has in his possession any arms, ammunition or Military stores for any unlawful purpose,

or that such person cannot be left in the possession of any such arms, ammunition or Military stores without danger to the public peace,

such Magistrate, having first recorded the grounds of his belief, may cause a search to be made of the house or premises occupied by such person, or in which such Magistrate has reason to believe such arms, ammunition or Militray stores are or is to be found, and may seize and detain the same although covered by a license, in safe custody for such time as he thinks necessary.

The search in such case shall be conducted by, or in the presence of, a Magistrate or by or in the presence of some officer, specially empowered in this behalf by name or in virtue of his office by the Government of Mysore.

Seizure and detention by Government.

21. The Government of Mysore may at any time order or cause to be seized any arms, ammunition or Military stores in the possession of any person notwithstanding that such person is licensed to possess the same, and may detain the same for such time as it thinks necessary for the public safety.

Power to exempt.

22. The Government of Mysore may, from time to time by notification published in the Official Gazette—

(a) exempt any person by name or in virtue of his office or any class of persons or exclude any description of arms or ammunition or withdraw any par of the Territories of Mysore from the operation of any prohibition or direction contained in this Regulation; and

(b) cancel any such notification and again subject the persons or things or the part of the Territories of Mysore comprised therein to the operation of such prohibition or direction.

Information to be given regarding offences.

23. Every person aware of the commission of any offence punishable under this Regulation shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give information of the same to the nearest Police officer or Magistrate, and

every person employed upon any Railway or by any public carrier shall, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, give information to the nearest Police officer regarding any box, package or bale in transit which he may have reason to suspect contains arms, ammunition or Military stores in respect of which an offence against this Regulation has been or is being committed.

Sanction required to certain proceedings under Section 14, clause (e).

24. Where an offence punishable under Section fourteen, clause (e), has been committed in any part of the Territories of Mysore, no proceedings shall be instituted against any person in respect of such offence without the previous sanction of the Magistrate of the District.

Searches in the case of offences against Section fourteen, clause (e), how conducted.

25. Where a search is to be made under the Code of Criminal Procedure in the course of any proceedings instituted in respect of an offence punishable under Section fourteen, clause (e), such search shall, notwithstanding anything contained in the said Code, be made in the presence of some officer specially appointed by name or in virtue of his office by the Government of Mysore in this behalf, and not otherwise.

Operation of other laws not barred.

26. Nothing in this Regulation shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Regulation or the rules made under it, or from being liable under such other law to any higher punishment or penalty than that provided by this Regulation; provided that no person shall be punished twice for the same offence.

Power to take census of fire-arms.

27. The Government of Mysore may, from time to time by notification in the Official Gazette, direct a census to be taken of all fire-arms in any local area, and empower any person by name or in virtue of his office to take such census.

On the issue of any such notification, all persons possessing any such arms in such area shall furnish to the person so empowered such information as he may require in reference thereto, and shall produce such arms to him if he so requires.

Any person refusing or neglecting to produce any such arms when so required, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

Notice and limitation of proceedings.

28. No proceeding other than a suit shall be commenced against any person for any thing done in pursuance of this Regulation, without having given him at least one month's previous notice in writing of the intended proceeding and of the cause thereof, nor after the expiration of three months from the accrual of such cause.

K. SHESHADRI IYER,

Dewan of Mysore.

Registered No. M.–1175.

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BANGALORE, THURSDAY, OCTOBER 11, 1917.

PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. J. 936—Police 211-16-3, dated 11th September 1917.

In exercise of the powers conferred by the Mysore Arms Regulation, 1890, and in supersession of all previous notifications on the subject the Government of His Highness the Maharaja of Mysore are pleased to make the following rules relating to arms, ammunition and military stores:

Provided that all exemptions and exclusions made, all licenses or duplicates granted or renewed, all fees imposed, levied remitted or reduced and all powers conferred by or under any notification hereby superseded, and in force at the commencement of this notification, shall so far as they are consistent herewith, be deemed to have been respectively made, granted, renewed, imposed, levied, remitted, reduced, or conferred hereunder.

this notifn should be retained and printed

C. S. BALASUNDARAM IYER,
Secretary to Government,
General Department

THE MYSORE ARMS RULES, 1917.

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THE RULES.

Short title.

1. These rules may be called the Mysore Arms Rules, 1917.

Interpretation.

2. In these rules, unless there is anything repugnant in the subject or context, all words and expressions, which are defined in the General Clauses Regulation, 1899, shall have the meanings respectively assigned to them thereby; and the provisions of sections 9, 10 and 13 to 19 of the said Regulation shall be deemed to apply as if these rules were an enactment made by Government after the commencement of the said Regulation.

Application of the Regulation.

Exemption and exclusion.

3. Under section 22,—

(*a*) the persons and classes of persons and

(*b*) the arms and ammunition

specified or described in Schedules I and II are, respectively, exempted and excluded, to the extent there indicated, from the operation of prohibitions and directions contained in the Regulation.

4. (*a*) All sections of the Regulation are extended to sulphur in quantities extending ten seers.

Extension.

(*b*) Leaden bird-shots and bullets when possessed in quantities exceeding 1 cwt. at any time, shall be deemed to be military stores within the meaning of the Regulation.

Transport.

5. No arms or ammunition or military stores shall be transported in any part of Mysore without a license in Form I. The license will be granted by the Magistrate of the district. If the articles are to be consigned to a place beyond the jurisdiction of the officer granting the license, the consent of the Magistrate of the district to which the consignment is made must be obtained before the license is issued. Such consent may be obtained by the person applying for the license, or the District Magistrate to whom application for the license is made may forward the proposed license to the officer whose consent is required, and on receiving a reply should either issue the license to the applicant, or inform him that his application for a license to transport arms, etc., has been refused. The fee payable in respect of every such license shall be ten rupees.

License required for transport of arms, etc.

6. Every consignment of arms or ammunition or military stores transported in any part of Mysore by railway on lines within the jurisdiction of His Highness the Maharaja of Mysore shall be conspicuously marked with the words "Arms," "Ammunition" or "Military Stores," as the case may be, in such a manner as to be readily recognizable by the railway authorities. A copy of the license to transport the articles shall be attached to the way bill when the consignment is booked as a parcel, and to the invoice when booked as goods, and no consignment shall leave the railway premises without the contents being verified and compared with the license by the railway police at the place of delivery. Telegraphic advice of every such consignment shall be sent to the receiving station by the railway authorities at the forwarding station.

Consignments to be marked.

7. Persons lawfully entitled to possess arms, or to go armed, are permitted to transport, in any part of Mysore, arms or ammunition in reasonable quantities for their own use. Any person abusing this exemption and transporting such articles otherwise than in reasonable quantities for his own use, will be held to have contravened this rule, and will, on conviction, become liable to the penalties under sections 13 and 14.

Transport by persons entitled to possess arms.

Note.—A cooly or servant carrying a packet properly secured and addressed to an exempted person so long as he travels with it on the direct route from the licensed dealer's premises or a railway station to the residence of such exempted person will be held to require no license provided that the exempted person is responsible for the conduct of the cooly or servant he employs and that the cooly or servant himself does not deviate from the direct route.

8. A person licensed to possess arms, ammunition or military stores, or who is exempted from the liability to take out such a license, is entitled to transport to his residence, from the premises of a licensed dealer, arms, ammunition or military stores without a separate transport license, so long as the articles purchased are in reasonable quantity and for his own use. A licensed dealer in arms, ammunition and military stores may supply the order of any such person, and may, without a separate transport license, send or despatch, in any way desired, to the residence of the purchaser, the articles ordered by any such person, so long as they fulfil the requirements of Rule 7, and are legibly addressed to the person for whom they are intended.

9. A license to transport arms or ammunition or military stores is void, if the consignment breaks bulk at any place short of the district for which it may be granted. A license to transport shall ordinarily not be made valid for more than twice the period actually required for the conveyance of the articles to their destination by the intended route.

Restrictions to which transport license is subject.

Application for transport license.

10. Persons desirous of transporting arms, ammunition or military stores must apply in writing to the officer authorized to grant transport licenses from the place of despatch. The application must specify—

(*a*) the place to which the articles are to be transported, the route of transport, and the probable time that will be occupied in the journey;

(*b*) the quantity, description, average price, and the purpose of each kind of arms or ammunition;

(*c*) whether the applicant desires that the officer to whom he applies should obtain the consent of the Magistrate of the place of consignment; (if the applicant has obtained such consent, the evidence of such consent must be produced);

(*d*) in the case of breech-loading rifles and balled rifle ammunition, whether the previous sanction of the Government has been obtained.

Contents of packages to be marked.

11. Persons transporting arms, ammunition or military stores under a license must write legibly on the cases or packages containing such articles an account of their contents.

Procedure on arrival of articles at destination.

12. Within six days of the articles reaching their destination, the consignee must deliver the transport license to the Magistrate of the district, who must satisfy himself that the articles transported to his district correspond with the entries in the license, and that any deficiency is properly accounted for.

Manufacture and sale.

Licenses to manufacture, convert, keep and sell.

13. Licenses to manufacture, convert, keep and sell arms or ammunition or military stores may be granted by the Magistrate of the district or by the Magistrate of a sub-division of the district. They shall be in Forms II and III appended to these rules. The fee, payable in stamps, shall be twenty rupees in respect of licenses to manufacture, convert and sell, and ten rupees in respect of licenses to keep and sell. Every license-holder under this rule shall keep, in such form as the Government may from time to time direct, registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand, and of all sales. He shall exhibit his stock and his registers on demand by any Magistrate, or by any police officer not below the rank of Inspector. Magistrates and all police officers not below the rank of Inspector are hereby empowered to enter and inspect any premises within their several jurisdictions in which arms or ammunition or sulphur are manufactured, or kept, and to examine the stock and accounts of receipts and sales of arms, ammunition and military stores. Every person licensed to sell arms and ammunition shall affix a signboard on a conspicuous part of his shop or usual place of business, and shall cause to be painted thereon in large letters in English, or in Kannada, his name and the words "licensed to manufacture," or "licensed to deal in arms, ammunition and military stores," as the case may be. He shall also post up in his shop a copy of section 23 of the Mysore Arms Regulation in Kannada or in English.

Notwithstanding anything contained in this rule, a person holding a license under the Mysore Explosives Regulation, II of 1888, endorsed in accordance with Rule 42 of the rules thereunder, to manufacture, possess and sell, or to possess and sell, explosives, may be granted *free of all charge* a license for the same period in Form II or Form III, respectively, in regard to ammunition or military stores which are not explosives.

14. Licenses to manufacture, convert, keep and sell arms or ammunition issued under Rule 13 shall exclude by specific and express condition, (1) the manufacture and conversion of breech-loaders and (2) the use of parts of British military weapons (whether condemned or not) in any process of manufacture and conversion.

Possession of arms and going armed.

Possession of arms and going armed for purposes of sport, etc.

15. Licenses to possess arms and ammunition in reasonable quantities and to go armed for purposes of sport, of protection, or of display, may be granted by the Magistrate of the district or by the Magistrate of a sub-division of the district in Form IV. Such a license shall be liable to a fee of four annas for each weapon and shall be granted for one year at a time. The Magistrate of the district, may, however, for reasons to be placed on record, issue, on payment of the requisite fees in a lump sum, such licenses for periods not exceeding three years at a time to persons of known good conduct and respectability. A license granted under this rule will authorize the holder to carry the arms described in it on occasions when they may be reasonably required for the purposes named in the license. But the holder unless specially authorized by the Magistrate must not go armed in railway carriages, or to fairs, religious processions, or other public assemblages. Licenses granted under this rule, shall, on countersignature by the Secretary to Government in the General Department or other officer authorized in this regard by the Government, be valid for such districts as may be specified by the countersigning officer.

Licenses to go armed on a journey

16. The Magistrate of the district or the Magistrate of a sub-division of the district may grant a license in Form V for a journey, specifying the direction of the journey, and the period it will occupy. Such license will be valid in other jurisdictions only for such journey and for such period, and will be liable to a fee of four annas for each weapon. Holders of licenses under this rule, unless specially authorized by the officer granting the licenses, must not go armed in railway carriages, or to fairs, religious processions, or other public assemblages.

When such Magistrate receives an application for a license in Form V from a person who is not resident within his jurisdiction, or is not personally known to him he shall, before granting the license, ascertain from the Magistrate of the district or sub-division of the district in which the applicant resides, whether there is any objection to the grant of the license, unless for reasons to be recorded, he considers this precaution to be clearly unnecessary.

Licenses to possess arms.

17. Licenses to *possess* fire-arms or ammunition or military stores may be granted by the Magistrate of the district or sub-division of the district in Form VI without fee, and shall be valid for five years. Such licenses will not authorize the holders to go armed or to carry arms. Licenses to possess *and carry* arms (Form IV) will be liable to fees as stated in Rule 15.

Licenses to possess and carry arms for destroying wild animals.

18. Licenses to possess and carry arms and ammunition may be granted by the Magistrate of the district or sub-division of the district in Form VII without fee, and for a term of five years, to persons who require arms for the destruction of wild animals which do injury to human beings, cattle, or crops. Such a license will be valid only in or on the immediate confines of the district for which it is granted. It will be subject to the conditions that the license and the weapon it covers are shown once a year, between the 15th November and the 31st December, to the nearest Magistrate; that the weapon becomes confiscated to Government directly it is sold or seized in execution of any debt; and that such weapon is carried only on occasions when it is to be used *bona fide* for the destruction of wild animals. Holders of licenses under this rule must not go armed in railway carriages, or to fairs, religious processions, or other public assemblages. If a gun covered by such license is lost or stolen, the license-holder shall at once give notice of the fact at the nearest police station.

Restriction as regards breech-loading rifles and balled rifle ammunition.

19. Licenses in Forms I, IV, V, VI and VII shall not, in the case of breech-loading rifles and balled rifle ammunition, be granted without the previous sanction of the Government.

Licenses for possession or transport of sulphur.

20. Licenses for the possession or transport of sulphur, proved to the satisfaction of Government to be intended only for *bona fide* medicinal, manufacturing or agricultural purposes may be granted without payment of any fee. This concession does not extend to sulphur intended for the manufacture of gunpowder or of ammunition generally, as defined in section 4 of the Mysore Arms Regulation.

General.

Fees how levied.

21. The fees leviable under these rules shall be taken in the shape of "impressed stamps." Ordinarily the applications for licenses or renewals of licenses shall be written on "impressed stamps" of value equal to the amount of fee leviable in respect of such licenses or renewals, and the licenses will be issued on plain paper. But when the licenses themselves are written or printed on "impressed stamps," the applications may be on paper of the value hereinafter mentioned. When an application for a license is written on an "impressed stamp," and the license is refused, the value of the stamp will be refunded to the applicant.

Applications for licenses.

22. Applications for licenses in respect of which no fee is leviable, or regarding licenses printed on impressed stamps on which the full fee has been paid, shall be considered to be applications within the meaning of Schedule II, Article I, Clause (*a*), of the Mysore Court Fees Regulation, 1900, and shall bear a court-fee stamp of one anna.

Period of currency of licenses.

23. All licenses under Rule 13 shall expire on the 31st December of the year for which they may be issued. Licenses under Rule 15 shall expire on the 31st December of the year or of the last year of the period, as the case may be, for which they may be issued; and licenses under Rule 18 shall expire on the 31st December of the 5th year of their currency. But the currency of a license may be renewed, previous to its expiration and on payment of a second fee, by the same authority that granted it; and a license under Rule 15 may be renewed by the Magistrate of the taluk or by the Magistrate of the sub-taluk for one year at a time, when not more than five years have elapsed since the issue or last renewal of the license by the Magistrate of the district or of the sub-division of the district, as the case may be;

Provided always that, where a renewal of license is applied for as aforesaid, the period of its currency shall, whether the application is eventually granted or refused, be deemed to include the interval during which the application was pending disposal.

Grant of duplicates of licenses lost or destroyed.

24. When a license granted in accordance with these rules is lost or accidentally destroyed, a duplicate may be granted to the licensee on payment of the same fee as he paid on the original license, if not in excess of one rupee; and in any other case, on payment of a fee of one rupee. Cultivators or other persons to whom licenses may have been granted without payment of any fee may obtain duplicates of such licenses, if lost or destroyed, free of all fee.

Conditions subject to which licenses are granted.

25. All licenses shall be given and held subject to the conditions endorsed on the reverse, and subject to these rules and to the provisions of the Arms Regulation. Where arms are intended to be employed in the pursuit of game, a separate license under the Mysore Game Regulation and Rules is necessary. Licenses under Rules 15 and 18 may also be granted subject to the observance of a close season in the pursuit of animals and birds that do not injure either men, or cattle, or crops and are not otherwise provided for. The limits of the close season will be decided by the Government, and the condition regarding such close season, if imposed, shall be endorsed on the reverse of the license.

Licenses to be produced on demand.

26. Any person holding a license, or acting under a license, granted in accordance with these rules, shall be bound to produce the same, when called upon to do so by any Magistrate or by any police officer in charge of a police station, or by any police officer of higher rank.

Language of licenses.

27. Licenses granted for use within a district shall be written or printed in Kannada. Licenses for use beyond the district where they may be granted shall be in English and may be in Kannada as well.

Scope of licenses.

28. A license granted under these rules will cover only the weapons or other articles and the person named therein, unless the officer granting a license under Rule 15 or 16 deems it expedient to include the retainers of any person named in the license; in such case, the entry on the face of the license shall declare how many and whose retainers are covered by the license. Joint licenses in the names of more than one person cannot be issued; every person seeking to possess or carry arms must take out a separate license.

Powers of officers empowered to grant licenses.

29. Any officer empowered to grant a license under these rules may, at his discretion, refuse to grant, to renew, or to consent to the issue of, a license, or may refer any application for the orders of the Government.

Certificates of exemption.

30. All persons exempted under section 22 of the Regulation or Rule 1 of these rules are entitled on application to the Magistrate of the district to be furnished with certificates of such exemption.

Subordination of officers.

31. All Magistrates and other authorities acting under these rules will perform their duties subject to the control of their executive superiors and of the Government.

SCHEDULE I.

The persons or classes of persons specified or described in the first column of the subjoined table are exempted, in respect of the arms and ammunition described in the second column, where carried or possessed (save where otherwise expressly stated) for their own personal use, from such prohibitions and directions contained in the Regulation as are indicated in the fourth column, subject to the provisos and restrictions entered in the third column.

The Table.

Persons or classes of persons	Arms and ammunition	Provisos and restrictions	Prohibitions and directions
(1) (i) All Maharajas, Rajas, Nawabs, Members of any Order of Knighthood and (ii) All persons who— (a) hold Kaiser-i-Hind medal, (b) bear a title conferred by the Government of India or by or in the name of His Highness the Maharaja of Mysore. (c) have been granted a sword in public Durbar, (d) received certificates on the 1st January 1877, (e) are exempted from personal attendance in civil Courts.	All except— (a) Cannon. (b) Articles designed for torpedo service. (c) War rockets. (d) Machinery for the manufacture of arms and ammunition.	The arms or ammunition carried or possessed by persons herein exempted shall be for their own personal use and shall not exceed such quantities (if any) as the Government may declare to be reasonable for them to carry or possess.	Those contained in Sections 8, 9, 10 and 11.
(2) All Members and ex-Members of the Councils of the British Indian Administrations and of the Council of His Highness the Maharaja of Mysore.	Do ...	Do ...	Do
(3) All Military and Naval Officers, all Soldiers, Sailors, Volunteers, Police Officers, Forest Officers, Jail Officers and Excise Officers in the service of the Government of India or the Government of His Highness the Maharaja of Mysore. Provided that a native soldier belonging either to the Mysore State Troops or to the British Indian Army while absent from his regiment on leave shall be exempt only in respect of such arms and ammunition as may be covered by a pass granted to him by the Commanding Officer. Explanation.— The term "soldiers" as used in this clause does not include 'reservists.'	Do ...	Do ...	Do
(4) All Magistrates, Justices of the Peace, Honorary Magistrates and Judicial Officers of and above the rank of Munsiff.	Do ...	Do ...	Do
*(5) All European and East Indian subjects of H. M. the King Emperor, all Armenians and all Americans and Europeans not British-born subjects of H. M. who are temporarily residing or travelling in Mysore.	Do ...	Do ...	Do
(6) All pensioned officers of the Military and Civil Departments who would be exempt if in service.	Do ...	Do ...	Do

* This exception has been withdrawn with regard to
(1) Robert Rieckil of Bangalore.
(2) Germans and Austrians.
(3) Subjects of the Ottoman Government.

SCHEDULE I—*contd.*

Persons or classes of persons	Arms and ammunition	Provisos and restrictions	Prohibitions and directions
(7) *Arsus* and relatives of His Highness the Maharaja and their retainers.	All except— (*a*) Cannon. (*b*) Articles designed for torpedo service. (*c*) War rockets. (*d*) Machinery for the manufacture of arms and ammunition.	Subject to such orders as the Government may issue regarding the number of such personages and the number of weapons and retainers to be included under this head.	Those contained in Sections 8, 9, 10 and 11.
(8) Members of the Representative Assembly and of District Boards so long as they continue to be such.	Do	The arms or ammunition carried or possessed shall be for their own personal use and shall not exceed such quantities if any as the Government may declare to be reasonable for them to carry or possess.	Do
(9) Landholders and members of Municipal and Local Boards of approved loyalty and of good position according to lists that may from time to time be issued by Government.	Do ...	Do ...	Do
(10) All village Patels, including Mande Patels, Nad Patels, Mokhtesar Patels, and Bagetana Patels, Talavars and other rural police.	Do ...	*Subject to such restrictions as the Government may from time to time prescribe in respect of the arms necessary for the discharge of their police duties.	Do
(11) All persons of the Coorg race residing or travelling in Mysore.	Do ...	The arms or ammunition carried or possessed shall be for their own personal use and shall not exceed such quantities (if any) as the Government may declare to be reasonable for them to carry or possess.	Do
(12) All postal runners and village postmen in frontier or wild districts where the superior departmental officers direct them to carry arms on duty and Superintendents and Inspectors of Post Offices and Mail Overseers and such other officers of the Postal Department as the Government of His Highness the Maharaja may by general or special order from time to time direct.	Do ...	Do ...	Do
(13) All officers of the Mysore Public Works Department of and above the rank of Overseer.	Do ...	Do ...	Do
(14) All officers of the Geological Department of and above the rank of Apprentice Geologist.	Do ...	Do ...	Do
(15) All Revenue Officers of and above the rank of Taluk Sheristadar.	Do ...	Do ..	Do
(16) All Medical Officers of and above the rank of Assistant Surgeon.	Do ...	Do ...	Do
(17) All Heads of Departments and all Secretaries to Government including Deputy, Under and Assistant Secretaries.	Do ...	Do ...	Do
(18) The Superintendent of the Amrut Mahal Department, all Amrut Mahall Darogas, Servegars and Mundals and the Head Clerk of the Amrut Mahal Department as also the Servegars or cowherds of the Palace Amrut Mahal Departmant in charge of Palace cattle.	Do ...	Do ...	Do

* Each village Patel may have only one fire arm without license.

The arms and ammunition possessed or carried shall be for the *bona fide* purpose of collections appropriate for the Natural History section of the Museum and shall not exceed such quantities as the Government may from time to time declare to be reasonable for them to possess or carry.

The arms and ammunition possessed or carried shall be for the *bona fide* purpose of collections appropriate for the Natural History section of the Museum and shall not exceed such quantities as the Government may from time to time declare to be reasonable for them to possess or carry.

SCHEDULE I—*contd.*

Persons or classes of persons	Arms and ammunition	Provisos and restrictions	Prohibitions and directions
(19) Inspectors, District Inspectors and Assistant Inspectors of the Education Department and the Assistant to the Inspector-General of Education.	All except— (*a*) Cannon. (*b*) Articles designed for torpedo service. (*c*) War rockets. (*d*) Machinery for the manufacture of arms and ammunition.	The arms or ammunition carried or possessed shall be for their own personal use and shall not exceed such quantities (if any) as the Government may declare to be reasonable for them to carry or possess.	Those contained in Sections 8, 9, 10 and 11.
(20) All persons to whom firearms may be presented by the Government of His Highness the Maharaja.	Do ...	Do ...	Do
(21) Syed Mruthyuza Sha Khadri Sajjade or Manager of Guru Dattatreya Bababuden Swami's Darga, Chikmagalur.	Do ...	Do ...	Do
(22) Sri Sanka-abharatiswami of the Kudli, Sringeri Matt, Shimoga District.	2 Revolvers. 6 Single barrel guns. 10 Swords. 2 Jambies. 2 Guptis or walking sticks inlaid with swords.	...	Do
(23) Sriman Niranjana Jagadeva Murgi Rajendraswami, Chitaldrug.	20 Guns. 40 Swords.	...	Sections 8 and 9.
(24) H. J. Sugandaraj Palyagar, Hagalvadi.	2 Guns. 2 Swords.	...	Sections 8, 9, 10 and 11.
(25) Sri Krishnananda Tirthaswami of the Mulbagal Matt, Tirthahalli Taluk.	4 Cap guns. 4 Swords, 4 Long swords. 4 Pistols.		Sections 8, 9, 10 and 11.
26. Mr. A. Ramanna, Advocate and Landholder, Mysore.	1 Revolver. 1 Double barrel gun.	...	Do
27. Sri Mahantaswami Adyaksha of Sri Guru Samsthana, Kere Matt, Sagar Taluk.	1 Gun. 1 Sword.	.....	Sections 8 and 9.
28. The taxidermist and the fieldsman of the Government Museum.	All except— (*a*) Cannon. (*b*) Articles designed for torpedo service. (*c*) War rockets. (*d*) Machinery for the manufacture of arms and ammunition.	The arms and ammunition possessed or carried shall be for the *bona fide* purpose of collecting specimens for the Natural History section of the Museum and shall not exceed such quantities as the Government may from time to time declare to be reasonable for them to possess or carry.	Do
29. Executive officers of the Electrical Department drawing a pay of Rs. 50 per mensem and above.	Do ...	The arms and ammunition carried or possessed shall be for their personal use and shall not exceed such quantities as the Government may from time to time declare to be reasonable for them to possess or carry.	Sections 8, 9, 10 and 11.
30. (*a*) Chemist, Agricultural and Geological Departments. (*b*) Deputy Director of Agriculture. (*c*) Assistant Director of Agriculture. (*d*) Senior Assistant Chemists. (*e*) Senior Assistant Mycologist. (*f*) Senior Assistant Entomologist. (*g*) Agricultural Engineer (*h*) Senior Assistant Botanist.	Do ...	Do ...	Do

SCHEDULE I—*concld.*

Persons or classes of persons	Arms and ammunition	Provisos and restrictions	Prohibitions and directions
31. Personal Assistant to the Chief Commandant, Mysore State Troops.	All except— (*a*) Cannon. (*b*) Articles designed for torpedo service. (*c*) War rockets (*d*) Machinery for the manufacture of arms and ammunition.	The arms and ammunition carried or possessed shall be for their personal use and shall not exceed such quantities as the Government may from time to time declare to be reasonable for them to possess or carry.	Sections 8, 9, 10 and 11.
32. Sri Ramachandra Bharatiswami of the Ramachandrapur Matt, Nagar Taluk.	2 Carnatic single barrel cap guns. 1 English do 1 Karnatic double barrel cap gun. 4 Swords. 2 Lances. 4 Ghajane. 1 Janjal.	.....	Sections 8 and 9.
33. Devendrakirti Bhattaraka Pattacharya, Swami of the Jain Matt at Humcha in the Nagar Taluk.	2 Revolvers. 11 Swords. 5 Guns. 1 Gupti (walking stick inlaid with sword).	.....	Sections 8, 9, 10 and 11.
34. Manager, Agricultural Farm, Hebbal.	All except – (*a*) Cannon. (*b*) Articles designed for torpedo service. (*c*) War rockets. (*d*) Machinery for the manufacture of arms and ammunition.	The arms and ammunition carried or possessed shall be for the *bona fide* purpose of protecting the crops on the farm, and shall not exceed such quantities as may be deemed to be reasonable for him to carry or possess.	Sections 8 and 9.
35. Junior Assistant Entomologist, Agricultural Department.	Do ...	The arms are ammunition carried or possessed by him shall be for the *bona fide* purpose of his work in connection with the investigation of insect pests and shall not exceed such quantities as may be deemed to be reasonable for him to carry or possess.	Do
36. Agricultural Inspector in charge of the Martur Farm, Sagar.	Do ...	.....	Do
37. Shekdars	Do ...	The arms and ammunition carried or possessed by them shall be for their own personal use and shall not exceed such quantities as may be deemed to be reasonable for them to carry or possess for self protection.	Sections 8 and 9.
38. Station Master, Rangenahalli, Tarikere-Narasimharajapura Tramway.	Do ..	The arms or ammunition carried or possessed by him shall be for his personal use and shall not exceed such quantities, if any, as the Government may, from time to time, declare to be reasonable for him to carry or possess.	Do
39 Manager, Agricultural Farm, Hiriyur.	Do ...	The arms or ammunition carried or possessed by him shall be for the *bona fide* purpose of protecting the crops on the farm, and shall not exceed such quantities as may be deemed reasonable for him to carry or possess for this purpose.	Do
40. The Aides-de-camp on the staff of His Highness the Maharaja.	Do ...	The arms and ammunition carried or possessed by them shall be for their own personal use and shall not exceed such quantities, if any, as the Government may, from time to time, declare to be reasonable for them to carry or possess.	Sections 8, 9, 10 and 11.
41. Revansiddaswami of the Here Matt, Keladi Samsthana, Sagar.	2 Guns and 2 swords ...	.....	Sections 8 and 9.

SCHEDULE II.

RULE 3.

Arms, Ammunition and Military Stores excluded.

Within the areas specified in the first column of the subjoined table, the arms ammunition and military stores described in the second column are exempted from the operation of such prohibitions and directions contained in the Regulation as are indicated in the third column.

The Table.

Area	Arms and ammunitions	Prohibitions and directions
The Mysore State	(1) Spears of all kinds	All.
	(2) Bows and arrows	Do
	(3) Uniform swords and dirks of recognised military or official patterns when possessed by or intended to be supplied to, persons entitled to wear them as part of their uniforms.	Do
	(4) Ornamental arms of an obsolete pattern possessing only antiquarian value, masonic swords, and theatrical and fancy dress swords, provided they are virtually useless for offensive and defensive purposes.	Do
	(5) Hunting knives	Do

REGULATION No. IV OF 1894.

(PASSED ON THE 13TH DAY OF APRIL 1894.)

A Regulation to consolidate, amend and add to the law relating to Railways in the territories of Mysore.

WHEREAS it is expedient to consolidate, amend and add to the law relating to Railways in the territories of Mysore; His Highness the Maharaja is pleased to enact as follows :—

CHAPTER I.

PRELIMINARY.

1. (1) This Regulation may be called "The Mysore Railways Regulation, 1894." Title, extent and commencement.

(2) It extends to the whole of the territories of Mysore; and

(3) it shall come into force on the first day of May 1894.

2. (1) On and from that day, Act IV of 1879 (The Indian Railways Act, 1879) is repealed. Repeal.

(2) But all rules, declarations and appointments made, sanctions and directions given, forms approved, powers conferred, and notifications published under the said Act IV of 1879 shall, so far as they are consistent with this Regulation, be deemed to have been respectively made, given, approved, conferred and published under this Regulation.

(3) Any enactment or document referring to the said Act IV of 1879 shall, so far as may be, be construed to refer to this Regulation or to the corresponding portion thereof.

3. In this Regulation, unless there is something repugnant in the subject or context,— Definitions.

(1) "tramway" means a tramway constructed under the Indian Tramways Act, 1886, or any special law relating to tramways:

(2) "ferry" includes a bridge of boats, pontoons or rafts, a swing-bridge, a flying bridge and a temporary bridge, and the approaches to, and landing places of, a ferry:

(3) "inland" means any canal, river, lake or navigable water in the territories of Mysore:

(4) "railway" means a railway, or any portion of a railway, for the public carriage of passengers, animals or goods, and includes—

(*a*) all land within the fences or other boundary-marks indicating the limits of the land appurtenant to a railway;

(*b*) all lines of rails, sidings or branches worked over for the purposes of, or in connection with, a railway;

(*c*) all stations, offices, warehouses, work-shops, manufactories, fixed plant and machinery and other works constructed for the purposes of, or in connection with, a railway; and

(*d*) all ferries, boats and rafts which are used on inland waters for the purposes of the traffic of a railway and belong to or are hired or worked by the authority administering the railway:

(5) "railway company" includes any persons, whether incorporated or not, who are owners or lessees of a railway or parties to an agreement for working a railway:

(6) "railway administration" or "administration," in the case of a railway administered by the Government of His Highness the Maharaja, means the Manager of the railway and includes the Government of His Highness the Maharaja, and, in the case of a railway administered by a railway company, means the railway company:

(7) "railway servant" means any person employed by a railway administration in connection with the service of a railway:

(8) "Inspector" means an Inspector of Railways appointed under this Regulation:

(9) "goods" includes inanimate things of every kind:

(10) "rolling-stock" includes locomotive engines, tenders, carriages, waggons, trucks and trollies of all kinds:

(11) "traffic" includes rolling-stock of every description as well as passengers, animals and goods:

(12) "through traffic" means traffic which is carried over the railways of two or more railway administrations:

(13) "rate" includes any fare, charge or other payment for the carriage of any passenger, animal or goods:

(14) "terminals" includes charges in respect of stations, sidings, depôts, warehouses, cranes and other similar matters and of any services rendered thereat:

(15) "pass" means an authority given by a railway administration, or by an officer appointed by a railway administration in this behalf, and authorising the person to whom it is given to travel as a passenger on a railway gratuitously:

(16) "ticket" includes a single ticket, a return ticket and a season ticket:

(17) "maund" means a weight of three thousand two hundred tolas, each tola being a weight of one hundred and eighty grains Troy: and

(18) "Deputy Commissioner" means the chief officer in charge of the land revenue administration of a district, and includes any officer specially appointed by the Government of His Highness the Maharaja to discharge the functions of a Deputy Commissioner under this Regulation.

(2) In deciding whether a lower charge does or does not amount to an undue preference, the Government of His Highness the Maharaja may, so far as it thinks reasonable, in addition to any other considerations affecting the case, take into consideration whether such lower charge is necessary for the purpose of securing, in the interests of the public, the traffic in respect of which it is made.

Provision for facilities and equal treatment where boats are used which are not part of a railway.

28. Where a railway administration is a party to an agreement for procuring the traffic of the railway to be carried on any inland water by any ferry, boat or raft which does not belong to or is not hired or worked by the railway administration, the provisions of the two last foregoing sections applicable to a railway shall extend to the ferry, boat or raft in so far as it is used for the purposes of the traffic of the railway.

Terminals.

29. A railway administration may charge reasonable terminals.

Power of Government to fix terminals.

30. (1) Any question or dispute which may arise with respect to the terminals charged by a railway administration, shall be considered by the Government of His Highness the Maharaja, which shall decide what is a reasonable sum to be paid to the railway administration in respect of terminals.

(2) In deciding the question or dispute, the Government of His Highness the Maharaja shall have regard only to the expenditure reasonably necessary to provide the accommodation in respect of which the terminals are charged, irrespective of the outlay which may have been actually incurred by the railway administration in providing that accommodation.

CHAPTER VI.

WORKING OF RAILWAYS.

General.

General rules.

31. (1) Every railway company, and, in the case of a railway administered by the Government of His Highness the Maharaja, an officer to be appointed by that Government in this behalf, shall make general rules consistent with this Regulation for the following purposes, namely :—

(*a*) for regulating the mode in which, and the speed at which, rolling-stock used on the railway is to be moved or propelled;

(*b*) for providing for the accommodation and convenience of passengers and regulating the carriage of their luggage;

(*c*) for declaring what shall be deemed to be, for the purposes of this Regulation, dangerous or offensive goods, and for regulating the carriage of such goods;

(*d*) for regulating the conditions on which the railway administration will carry passengers suffering from infectious or contagious disorders, and providing for the disinfection of carriages which have been used by such passengers;

(*e*) for regulating the conduct of the railway servants;

(*f*) for regulating the terms and conditions on which the railway administration will warehouse or retain goods at any station on behalf of the consignee or owner; and

(*g*) generally, for regulating the travelling upon, and the use, working and management of the railway.

(2) The rules may provide that any person committing a breach of any of them shall be punished with fine which may extend to any sum not exceeding fifty rupees, and that, in the case of a rule made under clause (*e*) of sub-section (1), the railway servant shall forfeit a sum not exceeding one month's pay, which sum may be deducted by the railway administration from his pay.

(3) A rule made under this section shall not take effect until it has received the sanction of the Government of His Highness the Maharaja and been published in the official Gazette.

Provided that, where the rule is in the terms of a rule which has already been published at length in the official Gazette, a notification in that Gazette referring to the rule already published and announcing the adoption thereof shall be deemed a publication of a rule in the official Gazette within the meaning of this sub-section.

(4) The Government of His Highness the Maharaja may cancel any rule made under this section, and the authority required by sub-section (1) to make rules thereunder may at any time, with the previous sanction of that Government, rescind or vary any such rule.

(5) Every rule purporting to have been made for any railway under section 8 of the Indian Railway Act, 1879, and appearing from the official Gazette to be intended to apply to the railway at the commencement of this Regulation, shall, notwithstanding any irregularity in the making or publication of the rule, be deemed to have been made and to have taken effect under this section.

(6) Every railway administration shall keep at each station on its railway a copy of the general rules for the time being in force under this section on the railway, and shall allow any person to inspect it free of charge at all reasonable times.

SECTIONS.

Issuing certificate against authorized prohibition.
72. Issuing certificate after expiry of notice, or in case of minor, within fourteen days after notice, or against authorized prohibition.
73. Persons authorized to solemnize marriage (other than Clergy of Churches of England, Scotland or Rome)—issuing certificate or marrying without publishing notice, or after expiry of certificate ;
issuing certificate for, or solemnizing, marriage with minor, within fourteen days after notice ;
issuing certificate authorizedly forbidden ;
solemnizing marriage authorizedly forbidden.
74. Unlicensed person granting certificate pretending to be licensed.
75. Destroying or falsifying register-books.
76. Limitation of prosecutions under Act.

PART VIII.

MISCELLANEOUS.

77. What matters need not be proved in respect of marriage in accordance with Act.
78. Corrections of errors.
79. Searches and copies of entries.
80. Certified copy of entry in marriage register, etc., to be evidence.
81. Sending certificates of certain marriages to Secretary of State for India,
82. Local Government to prescribe fees.
83. Power to make rules.
84. [*Omitted.*]
85. Power to declare who shall be District Judge.
86. [*Omitted.*]
87. Saving of Consular marriages.
88. Non-validation of marriages within prohibited degrees.

SCHEDULE I.—NOTICE OF MARRIAGE.
SCHEDULE II.—CERTIFICATE OF RECEIPT OF NOTICE.
SCHEDULE III.—[*Omitted.*]
SCHEDULE IV.—[*Omitted.*]
SCHEDULE V.—ENACTMENTS REPEALED.

ACT NO. XV OF 1872.

Notification by the Government of India, Foreign Department, Judicial, No. 176, dated Fort William, the 31st December 1875.

The Governor-General in Council is pleased to direct that "The Indian Christian Marriage Act, 1872," with the exception of the portions thereof specified in the Schedule hereto annexed, shall, on and from the first day of January 1876, be in force throughout the Territories of Mysore, so far as regards marriages between persons one of whom is a Native Christian subject of Mysore, and neither of whom is a Christian British subject.

2. The expression "Local Government," wherever it occurs in the said Act, shall be deemed to mean the Chief Commissioner of Mysore.*

*This is virtually superseded by Notification of the Government of Mysore, No. 153, dated the 2nd September 1881, according to which the expression "Local Government" is to denote "The Government of His Highness the Maharaja of Mysore."

Interpretation-clause.

3. In this Act, unless there is something repugnant in the subject or context,—

"Church of England" and "Anglican" mean and apply to the Church of England as by law established;

"Church of Scotland" means the Church of Scotland as by law established.

"Church of Rome" and "Roman Catholic" mean and apply to the Church which regards the Pope of Rome as its spiritual head;

"Church" includes any chapel or other building generally used for public Christian worship;

"Minor" means a person who has not completed the age of twenty-one years, and who is not a widower or a widow;

"Native State" means the territories of any Native Prince or State in alliance with Her Majesty;

The expression "Christians" means persons professing the Christian religion;

And the expression "Native Christians" includes the Christian descendants of Natives of India converted to Christianity, as well as such converts.

~~PART I.~~

THE PERSONS BY WHOM MARRIAGES MAY BE SOLEMNIZED.

Marriages to be solemnized according to Act

4. Every marriage between persons, one or both of whom is a Christian or Christians, shall be solemnized in accordance with the provisions of the next following section; and any such marriage solemnized otherwise than in accordance with such provisions shall be void.

Persons by whom marriages may be solemnized.

5. Marriages may be solemnized in India—

(1) by any person who has received episcopal ordination, provided that the marriage be solemnized according to the rules, rites, ceremonies and customs of the Church of which he is a Minister;

(2) by any Clergyman of the Church of Scotland, provided that such marriage be solemnized according to the rules, rites, ceremonies and customs of the Church of Scotland;

(3) by any Minister of Religion licensed under this Act to solemnize marriages;

(4) by, or in the presence of, a Marriage Registrar appointed under this Act;

(5) by any person licensed under this Act to grant certificates of marriage between Native Christians.

Grant and revocation of licenses to solemnize marriages.

6. The Local Government may grant licenses to Ministers of Religion to solemnize marriages within the territories under its administration, and may revoke such licenses.

Marriage Registrars.

7. The Local Government may appoint one or more Christians, either by name or as holding any office for the time being, to be the Marriage Registrar or Marriage Registrars for any district subject to its administration.

Senior Marriage Registrar.

Where there are more Marriage Registrars than one in any district, the Local Government shall appoint one of them to be the Senior Marriage Registrar.

Magistrate when to be Marriage Registrar.

When there is only one Marriage Registrar in a district, and such Registrar is absent from such district, or ill, or when his office is temporarily vacant, the Magistrate of the District shall act as, and be, Marriage Registrar thereof during such absence, illness or temporary vacancy.

~~**8.** [*Marriage Registrars in Native States.*] *Omitted as directed by Notification No.* 176 *J., dated the* 31*st December* 1875.~~

Licensing of persons to grant certificates of marriage between Native Christians.

9. The Local Government[a] may grant a license to any Christian, either by name or as holding any office for the time being, authorizing him to grant certificates of marriage between Native Christians.

Any such license may be revoked by the authority by which it was granted, and every such grant or revocation shall be notified in the official Gazette.

PART II.

TIME AND PLACE AT WHICH MARRIAGES MAY BE SOLEMNIZED.

Time for solemnizing marriage.

10. Every marriage under this Act shall be solemnized between the hours of six in the morning and seven in the evening:

Exceptions.

Provided that nothing in this section shall apply to—

(1) a Clergyman of the Church of England solemnizing a marriage under a special license permitting him to do so at any hour other than between six in the morning and seven in the evening, under the hand and seal of the Anglican Bishop of the Diocese or his Commissary, or

(2) a Clergyman of the Church of Rome solemnizing a marriage between the hours of seven in the evening and

[a] Certain words in section 9 have been omitted as directed by Notification No. 176 J., dated the 31st December 1875.

Requisitions for written accounts of description of goods.

42. (1) The owner or person having charge of any goods which are brought upon a railway for the purpose of being carried thereon, and the consignee of any goods which have been carried on a railway, shall, on the request of any railway servant appointed in this behalf by the railway administration, deliver to such servant an account in writing signed by such owner or person, or by such consignee, as the case may be, and containing such a

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description of the goods as may be sufficient to determine the rate which the railway administration is entitled to charge in respect thereof.

(2) If such owner, person or consignee refuses or neglects to give such an account, and refuses to open the parcel or package containing the goods in order that their description may be ascertained, the railway administration may, (*a*) in respect of goods which have been brought for the purpose of being carried on the railway, refuse to carry the goods unless in respect thereof a rate is paid not exceeding the highest rate which may be in force at the time on the railway for any class of goods or, (*b*) in respect of goods which have been carried on the railway, charge a rate not exceeding such highest rate.

(3) If an account delivered under sub-section (1) is materially false with respect to the description of any goods to which it purports to relate, and which have been carried on the railway, the railway administration may charge in respect of the carriage of the goods a rate not exceeding double the highest rate which may be in force at the time on the railway for any class of goods.

(4) If any difference arises between a railway servant and the owner or person having charge, or the consignee, of any goods which have been brought to be carried or have been carried on a railway, respecting the description of goods of which an account has been delivered under this section, the railway servant may detain and examine the goods.

(5) If it appears from the examination that the description of the goods is different from that stated in an account delivered under sub-section (1), the person who delivered the account, or, if that person is not the owner of the goods, then that person and the owner jointly and severally, shall be liable to pay to the railway administration the cost of the detention and examination of the goods, and the railway administration shall be exonerated from all responsibility for any loss which may have been caused by the detention or examination thereof.

(6) If it appears that the description of the goods is not different from that stated in an account delivered under sub-section (1), the railway administration shall pay the cost of the detention and examination, and be responsible to the owner of the goods for any such loss as aforesaid.

Dangerous or offensive goods.

43. (1) No person shall be entitled to take with him, or to require a railway administration to carry, any dangerous or offensive goods upon a railway.

(2) No person shall take any such goods with him upon a railway without giving notice of their nature to the station-master or other railway servant in charge of the place where he brings the goods upon the railway, or shall tender or deliver any such goods for carriage upon a railway without distinctly marking their nature on the outside of the package containing them or otherwise giving notice in writing of their nature to the railway servant to whom he tenders or delivers them.

(3) Any railway servant may refuse to receive such goods for carriage, and, when such goods have been so received without such notice as is mentioned in sub-section (1) having to his knowledge been given, may refuse to carry them or may stop their transit.

(4) If any railway servant has reason to believe any such goods to be contained in a package with respect to the contents whereof such notice as is mentioned in sub-section (2) has not to his knowledge been given, he may cause the package to be opened for the purpose of ascertaining its contents.

(5) Nothing in this section shall be construed to derogate from the Mysore Explosives Regulation, II of 1888, or any rule under that Regulation, and nothing in sub-sections (1), (3) and (4) shall be construed to apply to any goods tendered or delivered for carriage by order or on behalf of the Government of His Highness the Maharaja or the British Government or to any goods which an officer, soldier, sailor or police-officer or a person enrolled as a Volunteer under the Indian Volunteers' Act, 1869, may take with him upon a railway in the course of his employment or duty as such.

Exhibition to the public of authority for quoted rates.

44. At every station at which a railway administration quotes a rate to any other station for the carriage of traffic other than passengers and their luggage, the railway servant appointed by the administration to quote the rate shall, at the request of any person, show to him at all reasonable times, and without payment of any fee, the rate-books or other documents in which the rate is authorized by the administration or administrations concerned.

Requisitions on railway administrations for details of gross charges

45. (1) Where any charge is made by and paid to a railway administration in respect of the carriage of goods over its railway, the administration shall, on the application of the person by whom or on whose behalf the charge has been paid, render to the applicant an account showing how much of the charge comes under each

47. Every railway administration shall fix, subject to the approval of the Government of His Highness the Maharaja, the maximum number of passengers which may be carried in each compartment of every description of carriage, and shall exhibit the number so fixed in a conspicuous manner inside or outside each compartment, in English or in Kanarese or both in English and in Kanarese, as the Government of His Highness the Maharaja, after consultation with the railway administration, may determine.

Maximum number of passengers for each compartment.

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48. (1) On and after the first day of May 1894, every railway administration shall, in every train carrying passengers, reserve for the exclusive use of females one compartment at least of the lowest class of carriage forming part of the train.

Reservation of compartments for female.

(2) One such compartment so reserved shall, if the train is to run for a distance exceeding fifty miles, be provided with a closet.

49. Every railway administration shall cause to be posted in a conspicuous and accessible place at every station on its railway, in English and in Kanarese, a copy of the time-tables for the time being in force on the railway, and lists of the fares chargeable for travelling from the station where the lists are posted to every place for which card-tickets are ordinarily issued to passengers at that station.

Exhibition of time-tables and tables of fares at stations.

obliged to travel in a carriage of a lower class, shall be entitled on delivering up his ticket to a refund of the difference between the fare paid by him and the fare payable for the class of carriage in which he travelled.

Prohibition against travelling without pass or ticket.

52. No person shall, without the permission of a railway servant, enter any carriage on a railway for the purpose of travelling therein as a passenger, unless he has with him a proper pass or ticket.

Exhibition and surrender of passes and tickets.

53. Every passenger by railway shall, on the requisition of any railway servant appointed by the railway administration in this behalf, present his pass or ticket to the railway servant for examination, and at or near the end of the journey for which the pass or ticket was issued, or, in the case of a season pass or ticket, at the expiration of the period for which it is current, deliver up the pass or ticket to the railway servant.

Return and season tickets.

54. A return ticket or season ticket shall not be transferable and may be used only by the person for whose journey to and from the places specified thereon it was issued.

Power to refuse to carry persons suffering from infectious or contagious disorder.

55. (1) A railway administration may refuse to carry, except in accordance with the conditions prescribed under section 31, sub-section (1), clause (*d*), a person suffering from any infectious or contagious disorder.

(2) A person suffering from such a disorder shall not enter or travel upon a railway without the special permission of the station-master or other railway servant in charge of the place where he enters upon the railway.

(3) A railway servant giving such permission as is mentioned in sub-section (2) must arrange for the separation of the person suffering from the disorder from other persons being or travelling upon the railway.

CHAPTER III

62. Notwithstanding anything in the foregoing provisions of this chapter, a railway administration shall not be responsible for the loss, destruction or deterioration of any goods with respect to the description of which an account materially false has been delivered under sub-section (1) of section 42, if the loss, destruction or deterioration is in any way brought about by the false account, nor in any case for an amount exceeding the value of the goods, if such value were calculated in accordance with the description contained in the false account.

Exoneration from responsibility in case of goods falsely described.

63. Where an officer, soldier or follower, while being or travelling as such on duty upon a railway belonging to, and worked by, the Government of His Highness the Maharaja, loses his life or receives any personal injury in such circumstances that if he were not an officer, soldier or follower being or travelling as such on duty upon the railway, compensation would be payable under Mysore Regulation No. II of 1892 or to him, as the case may be, the form and amount of the compensation to be made in respect of the loss of his life or his injury shall, where there is any provision in this behalf in the military regulations to which he was immediately before his death, or is, subject, be determined in accordance with those regulations, and not otherwise.

Settlement of compensation for injuries to officers soldiers and followers on duty.

64. Notwithstanding anything in any agreement purporting to limit the liability of a railway administration with respect to traffic while on the railway of another administration, a suit for compensation for loss of the life of, or personal injury to, a passengers, or for loss, destruction or deterioration of animals or goods where the passenger was or the animals or goods were booked through over the railways of two or more railway administrations, may be brought either against the railway administration from which the passenger obtained his pass or purchased his ticket, or to which the animals or goods were delivered by the consignor thereof, as the case may be, or against the railway administration on whose railway the loss, injury, destruction or deterioration occurred.

Suits for compensation for injury to through-booked traffic.

65. Where a railway administration under contract to carry animals or goods byany inland water procures the same to be carried in a vessel which is not a railway as defined in this Regulation, the responsibility of the railway administration for the loss, destruction or deterioration of the animals or goods during their carriage in the vessel shall be the same as if the vessel were such a railway.

Limitation of liability of railway administration in respect of traffic on inland waters by vessel not being part of railway.

CHAPTER VIII.

ACCIDENTS.

Report of railway accidents.

66. When any of the following accidents occurs in the course of working a railway, namely : —

(*a*) any accident attended with loss of human life, or with grievous hurt as defined in the Indian Penal Code, or with serious injury to property ;

(*b*) any collision between trains of which one is a train carrying passengers ;

(*c*) the derailment of any train carrying passengers, or of any part of such a train ;

(*d*) any accident of a description usually attended with loss of human life or with such grievous hurt as aforesaid or with serious injury to property ;

(*e*) any accident of any other description which the Government of His Highness the Maharaja may notify in this behalf in the official Gazette ;

the railway administration working the railway and, if the accident happens to a train belonging to any other railway administration, the other railway administration also shall, without unnecessary delay, send notice of the accident to the Government of His Highness the Maharaja and to the Inspector appointed for the railway; and the station-master nearest to the place at which the accident occurred or, where there is no station-master, the railway servant in charge of the section of the railway on which the accident occurred shall, without unnecessary delay, give notice of the accident to the Magistrate of the district in which the accident occurred, and to the officer in charge of the police-station within the local limits of which it occurred, or to such other Magistrate and police-officer as the Government of His Highness the Maharaja appoints in this behalf.

Power to make rules regarding notices of and inquiries into accidents.

67. The Government of His Highness the Maharaja may make rules, consistent with this Regulation and any other enactment for the time being in force, for all or any of the following purposes, namely :—

(*a*) for prescribing the forms of the notices mentioned in the last foregoing section, and the particulars of the accident which those notices are to contain ;

(*b*) for prescribing the class of accidents, of which notice is to be sent by telegraph immediately after the accident has occurred ;

(*c*) for prescribing the duties of railway servants, police-officers, Inspectors and Magistrates on the occurrence of an accident.

Sections 79-83.

79. (1) When a railway company has, through any act or omission, forfeited any sum to the Government of His Highness the Maharaja under the foregoing provisions of this Chapter, the sum shall be recoverable by suit in the District Court having jurisdiction in the place where the act or omission or any part thereof occurred. Recovery of penalties.

(2) The suit must be instituted with the previous sanction of the Government of His Highness the Maharaja, and the plaintiff therein shall be the Dewan of Mysore.

(3) The Government of His Highness the Maharaja may remit the whole or any part of any sum forfeited by a railway company to that Government under the foregoing provisions of this Chapter.

80. Nothing in those provisions shall be construed to preclude the Government of His Highness the Maharaja from resorting to any other mode of proceeding instead of, or in addition to, such a suit as is mentioned in the last foregoing section, for the purpose of compelling a railway company to discharge any obligation imposed upon it by this Regulation. Alternative or supplementary character of remedies afforded by the foregoing provisions of this chapter.

Offences by Railway Servants.

81. If a railway servant whose duty it is to comply with the provisions of section 44 negligently or wilfully omits to comply therewith, he shall be punished with fine which may extend to twenty rupees. Breach of duty imposed by section 44.

82. If a railway servant is in a state of intoxication while on duty, he shall be punished with fine which may extend to fifty rupees or, where the improper performance of the duty would be likely to endanger the safety of any person travelling or being upon a railway, with imprisonment for a term which may extend to one year, or with fine, or with both. Drunkenness.

83. If a railway servant, when on duty, endangers the safety of any person— Endangering the safety of persons.

(*a*) by disobeying any general rule made, sanctioned, published and notified under this Regulation, or

(*b*) by disobeying any rule or order which is not inconsistent with any such general rule, and which such servant was bound by the terms of his employment to obey, and of which he had notice, or

(*c*) by any rash or negligent act or omission,

he shall be punished with imprisonment for a term which may extend to two years, or with fine which may extend to five hundred rupees, or with both.

Compelling passengers to enter carriages already full.

84. If a railway servant compels or attempts to compel, or causes, any passenger to enter a compartment which already contains the maximum number of passengers exhibited therein or thereon under section 47, he shall be punished with fine which may extend to twenty rupees.

Omission to give notice of accident.

85. If a station-master or a railway servant in charge of a section of a railway omits to give such notice of an accident as is required by section 66 and the rules for the time being in force under section 67, he shall be punished with fine which may extend to fifty rupees.

Obstructing level-crossings

86. If a railway servant unnecessarily—

(*a*) allows any rolling-stock to stand across a place where the railway crosses a public road on the level, or

(*b*) keeps a level-crossing closed against the public,

he shall be punished with fine which may extend to twenty rupees.

False returns.

87. If any return which is required by this Regulation is false in any particular to the knowledge of any person who signs it, that person shall be punished with fine which may extend to five hundred rupees, or with imprisonment which may extend to one year, or with both.

Other Offences.

Giving false account of goods.

88. If a person requested under section 42 to give an account with respect to any goods gives an account which is materially false, he and, if he is not the owner of the goods, the owner also shall be punished with fine which may extend to ten rupees for every maund or part of a maund of the goods, and the fine shall be in addition to any rate or other charge to which the goods may be liable.

Unlawfully bringing dangerous or offensive goods upon a railway.

89. If in contravention of section 43 a person takes with him any dangerous or offensive goods upon a railway, or tenders or delivers any such goods for carriage upon a railway, he shall be punished with fine which may extend to five hundred rupees, and shall also be responsible for any loss, injury or damage which may be caused by reason of such goods having been so brought upon the railway.

90. If a passenger, without reasonable and sufficient cause, makes use of or interferes with any means provided by a railway administration for communication between passengers and the railway servants in charge of a train, he shall be punished with fine which may extend to fifty rupees.

Needlessly interferring with means of communication in a train

91. (1) If a passenger, having entered a compartment which is reserved by a railway administration for the use of another passenger, or which already contains the maximum number of passengers exhibited therein or thereon under section 47, refuses to leave it when required to do so by any railway servant, he shall be punished with fine which may extend to twenty rupees.

Entering compartment reserved or already full or resisting entry into a compartment not full.

(2) If a passenger resists the lawful entry of another passenger into a compartment not reserved by the railway administration for the use of the passenger resisting or not already containing the maximum number of passengers exhibited therein or thereon under section 47, he shall be punished with fine which may extend to twenty rupees.

92. (1) If a person, without the consent of his fellow-passengers, if any, in the same compartment, smokes in any compartment except a compartment specially provided for the purpose, he shall be punished with fine which may extend to twenty rupees.

Smoking.

(2) If any person persists in so smoking after being warned by any railway servant to desist, he may, in addition to incurring the liability mentioned in sub-section (1) be removed by any railway servant from the carriage in which he is travelling.

93. If a person, without authority in this behalf, pulls down, or wilfully injures any board or document set up or posted by order of a railway administration on a railway or any rolling-stock, or obliterates or alters any of the letters or figures upon any such board or document, he shall be punished with fine which may extend to fifty rupees.

Defacing public notices.

94. If a person, with intent to defraud a railway administration—

Fraudulently travelling or attempting to travel without proper pass or ticket.

(*a*) enters in contravention of section 52 any carriage on a railway, or

(*b*) uses or attempts to use a single pass or single ticket which has already been used on a previous journey or, in the case of a return ticket, a half thereof which has already been so used,

he shall be punished with fine which may extend to one hundred rupees in addition to the amount of the single fare for any distance which he may have travelled.

Travelling without pass or ticket or with insufficient pass or ticket or beyond authorized distance.

95. (1) If a passenger travels in a train without having a proper pass or a proper ticket with him, or, being in or having alighted from a train, fails or refuses to present for examination or to deliver up his pass or ticket immediately on requisition being made therefor under section 53, he shall be liable to pay, on the demand of any railway servant appointed by the railway administration in this behalf, the excess charge hereinafter in this section mentioned, in addition to the ordinary single fare for the distance which he has travelled, or, where there is any doubt as to the station from which he started, the ordinary single fare from the station from which the train originally started, or, if the tickets of passengers travelling in the train have been examined since the original starting of the train, the ordinary single fare from the place where the tickets were examined, or, in case of their having been examined more than once, were last examined.

(2) If a passenger travels or attempts to travel in or on a carriage, or by a train, of a higher class than that for which he has obtained a pass or purchased a ticket, or travels in or on a carriage beyond the place authorized by his pass or ticket, he shall be liable to pay, on the demand of any railway servant appointed by the railway administration in this behalf, the excess charge hereinafter in this section mentioned, in addition to any difference between any fare paid by him and the fare payable in respect of such journey as he has made.

3 The excess charge referred to in sub-section (1) and sub-section (2) shall,—

(*a*) where the passenger has immediately after incurring the charge and before being detected by a railway servant notified to the railway servant on duty with the train the fact of the charge having been incurred, be one rupee, two annas, or eight annas, and

(*b*) in any other case, be six rupees, one rupee, or three rupees,

according as the passenger is travelling or has travelled or has attempted to travel in a carriage of the highest class or in a carriage of the lowest class or in a carriage of any other class or kind:

Provided that such excess charge shall in no case exceed,—

(*a*) where the liability to pay it arises under sub-section (1), the amount of the ordinary single fare which the passenger incurring the charge is liable to pay under that sub-section, or

(*b*) where such liability arises under sub-section (2), the amount of the difference between the fare paid by the passenger

incurring the charge and the fare payable in respect of such journey as he has made.

(4) If a passenger liable to pay the excess charge and fare mentioned in sub-section (1), or the excess charge and any difference of fare mentioned in sub-section (2), fails or refuses to pay the same on demand being made therefor under one or other of those sub-sections, as the case may be, the sum payable by him shall, on application made to any Magistrate by any railway servant appointed by the railway administration in this behalf, be recovered by the Magistrate from the passenger as if it were a fine imposed on the passenger by the Magistrate and shall, as it is recovered, be paid to the railway administration.

Transferring return half of return ticket.

96. If a person sells or attempts to sell, or parts or attempts to part with the possession of, the return half of a return ticket in order to enable any other person to travel therewith, or purchases such half of a return ticket, he shall be punished with fine which may extend to fifty rupees, and, if the purchaser of such half of a return ticket travels or attempts to travel therewith, he shall be punished with an additional fine which may extend to the amount of the single fare for the return journey authorized by the ticket.

Disposal of fine under the two last foregoing sections.

97. That portion of any fine imposed under section 94 or the last foregoing section which represents the single fare therein mentioned shall, as the fine is recovered, be paid to the railway administration before any portion of the fine is credited to the Government of His Highness the Maharaja.

Altering or defacing pass or ticket.

98. If a passenger wilfully alters or defaces his pass or ticket so as to render the date, number or any material portion thereof illegible, he shall be punished with fine which may extend to fifty rupees.

Being or suffering person to travel on railway with infectious or contagious disorder.

99. (1) If a person suffering from an infectious or contagious disorder enters or travels upon a railway in contravention of section 55, sub-section (2), he, and any person having charge of him upon the railway when he so entered or travelled thereon, shall be punished with fine which may extend to twenty rupees, in addition to the forfeiture of any fare which either of them may have paid, and of any pass or ticket which either of them may have obtained or purchased, and may be removed from the railway by any railway servant.

(2) If any such railway servant as is referred to in section 55, sub-section (2), knowing that a person is suffering from any

infectious or contagious disorder, wilfully permits the person to travel upon a railway without arranging for his separation from other passengers, he shall be punished with fine which may extend to one hundred rupees.

Entering carriage in motion, or otherwise improperly travelling on a railway.

100. (1) If a passenger enters or leaves, or attempts to enter or leave, any carriage while the train is in motion, or elsewhere than at the side of the carriage adjoining the platform or other place appointed by the railway administration for passengers to enter or leave the carriage, or opens the side-door of any carriage while the train is in motion, he shall be punished with fine which may extend to twenty rupees.

(2) If a passenger, after being warned by a railway servant to desist, persists in travelling on the roof, steps or footboard of any carriage or on an engine, or in any other part of a train not intended for the use of passengers, he shall be punished with fine which may extend to fifty rupees and may be removed from the railway by any railway servant.

Entering carriage or other place reserved for females.

101. If a male person, knowing a carriage, compartment, room or other place to be reserved by a railway administration for the exclusive use of females, enters the place without lawful excuse, or, having entered it, remains therein after having been desired by any railway servant to leave it, he shall be punished with fine which may extend to one hundred rupees, in addition to the forfeiture of any fare which he may have paid and of any pass or ticket which he may have obtained or purchased, and may be removed from the railway by any railway servant.

Drunkenness or nuisance on a railway.

102. If a person in any railway carriage or upon any part of a railway—

(*a*) is in a state of intoxication, or

(*b*) commits any nuisance or act of indecency, or uses obscene or abusive language, or

(*c*) wilfully and without lawful excuse interferes with the comfort of any passenger or extinguishes any lamp,

he shall be punished with fine which may extend to fifty rupees, in addition to the forfeiture of any fare which he may have paid and of any pass or ticket which he may have obtained or purchased, and may be removed from the railway by any railway servant.

Obstructing railway servant in his duty.

103. If a person wilfully obstructs or impedes any railway servant in the discharge of his duty, he shall be punished with fine which may extend to one hundred rupees.

104. (1) If a person unlawfully enters upon a railway, he shall be punished with fine which may extend to twenty rupees. Trespass and refusal to desist from trespass.

(2) If a person so entering refuses to leave the railway on being requested to do so by any railway servant, or by any other person on behalf of the railway administration, he shall be punished with fine which may extend to fifty rupees, and may be removed from the railway by such servant or other person.

105. If a driver or conductor of a tramcar, omnibus, carriage or other vehicle while upon the premises of a railway disobeys the reasonable directions of any railway servant or police-officer, he shall be punished with fine which may extend to twenty rupees. Disobedience of omnibus drivers to directions of railway servants.

106. In either of the following cases, namely: - Opening or not properly shutting gates.

(*a*) if a person knowing or having reason to believe that an engine or train is approaching along a railway, opens any gate set up on either side of the railway across a road, or passes or attempts to pass, or drives or takes, or attempts to drive or take, any animal, vehicle or other thing across the railway,

(*b*) if, in the absence of a gate-keeper, a person omits to shut and fasten such a gate as aforesaid as soon as he and any animal, vehicle or other thing under his charge have passed through the gate,

the person shall be punished with fine which may extend to fifty rupees.

107. (1) The owner or person in charge of any cattle straying on a railway provided with fences suitable for the exclusion of cattle shall be punished with fine which may extend to five rupees for each head of cattle, in addition to any amount which may have been recovered or may be recoverable under the Cattle-trespass Act, 1871. Cattle-trespass.

(2) If any cattle are wilfully driven, or knowingly permitted to be, on any railway otherwise than for the purpose of lawfully crossing the railway or for any other lawful purpose, the person in charge of the cattle, or, at the option of the railway administration, the owner of the cattle, shall be punished with fine which may extend to ten rupees for each head of cattle, in addition to any amount which may have been recovered or may be recoverable under the Cattle-trespass Act, 1871.

(3) Any fine imposed under this section may, if the Court so directs, be recovered in manner provided by section 25 of the Cattle-trespass Act, 1871.

(4) The expression "public road" in sections 11 and 26 of the Cattle-trespass Act, 1871, shall be deemed to include a railway, and any railway servant may exercise the powers conferred on officers of police by the former of those sections.

(5) The word "cattle" has the same meaning in this section as in the Cattle-trespass Act, 1871.

Maliciously wrecking or attempting to wreck a train.

108. If a person unlawfully—

(*a*) puts or throws upon or across any railway any wood, stone or other matter or thing, or

(*b*) takes up, removes, loosens or displaces any rail, sleeper or other matter or thing belonging to any railway, or

(*c*) turns, moves, unlocks or diverts any points or other machinery belonging to any railway, or

(*d*) makes or shows, or hides or removes, any signal or light upon or near to any railway, or

(*e*) does or causes to be done or attempts to do any other act or thing in relation to any railway,

with intent, or with knowledge that he is likely, to endanger the safety of any person travelling or being upon the railway, he shall be punished with transportation for life or with imprisonment for a term which may extend to ten years.

Maliciously hurting or attempting to hurt persons travelling by railway.

109. If a person unlawfully throws or causes to fall or strike at, against, into or upon any rolling-stock forming part of a train any wood, stone or other matter or thing with intent, or with knowledge that he is likely, to endanger the safety of any person being in or upon such rolling-stock or in or upon any other rolling-stock forming part for the same train, he shall be punished with transportation for life or with imprisonment for a term which may extend to ten years.

Endangering safety of persons travelling by railway by wilful act or omission.

110. If a person, by any unlawful act or by any wilful omission or neglect, endangers or causes to be endangered the safety of any person travelling or being upon any railway, or obstructs or causes to be obstructed or attempts to obstruct any rolling-stock upon any railway, he shall be punished with imprisonment for a term which may extend to two years.

Endangering safety of persons travelling by railway by rash or negligent act or omission.

111. If a person rashly or negligently does any act, or omits to do what he is legally bound to do, and the act or omission is likely to endanger the safety of any person travelling or being upon a railway, he shall be punished with imprisonment for a term which may extend to one year, or with fine, or with both.

Sections 112-114.

112. (1) If a minor under the age of twelve years is, with respect to any railway, guilty of any of the acts or omissions mentioned or referred to in any of the four last foregoing sections, he shall be deemed, notwithstanding anything in section 82 or section 83 of the Indian Penal Code, to have committed an offence, and the Court convicting him may, if it thinks fit, direct that the minor, if a male, shall be punished with whipping, or may require the father or guardian of the minor to execute, within such time as the Court may fix, a bond binding himself, in such penalty as the Court directs, to prevent the minor from being again guilty of any of those acts or omissions.

Special provision with respect to the commission by children of acts endangering safety of persons travelling by railway.

(2) The amount of the bond, if forfeited, shall be recoverable by the Court as if it were a fine imposed by itself.

(3) If a father or guardian fails to execute a bond under sub-section (1) within the time fixed by the Court, he shall be punished with fine which may extend to fifty rupees.

Procedure.

113. (1) If a person commits any offence mentioned in section 82, 83, 101, 102, 103, 108, 109, 110 or 111 or in section 112, sub-section (1), he may be arrested without warrant or other written authority by any railway servant or police-officer, or by any other person whom such servant or officer may call to his aid.

Arrest for offences against certain sections.

(2) A person so arrested shall, with the least possible delay, be taken before a Magistrate having authority to try him or commit him for trial.

114. (1) If a person commits any offence under this Regulation other than an offence mentioned in the last foregoing section, or fails or refuses to pay any excess charge or other sum demanded under section 95, and there is reason to believe that he will abscond, or his name and address are unknown, and he refuses on demand to give his name and address, or there is reason to believe that the name or address given by him is incorrect, any railway servant or police-officer, or any other person whom such railway servant or police-officer may call to his aid, may, without warrant or other written authority, arrest him.

Arrest of persons likely to abscond or unknown.

(2) The person arrested shall be released on his giving bail, or, if his true name and address are ascertained, on his executing a bond without sureties, for his appearance before a Magistrate when required.

(3) If the person cannot give bail and his true name and address are not ascertained, he shall with the least possible delay be taken before the nearest Magistrate having jurisdiction.

(4) The provisions of Chapters XXXIX and XLII of the Code of Criminal Procedure, 1882, as introduced into Mysore by Regulation I of 1886, shall, so far as may be, apply to bail given and bonds executed under this section.

Magistrates having jurisdiction under Regulation.

115. No Magistrate other than a Magistrate whose powers are not less than those of a Magistrate of the second class shall try any offence under this regulation.

Place of trial.

116. (1) Any person committing any offence against this Regulation or any rule thereunder, shall be triable for such offence in any place in which he may be or which the Government of His Highness the Maharaja may notify in this behalf, as well as in any other place in which he might be tried under any law for the time being in force.

(2) Every notification under sub-section (1) shall be published in the official Gazette, and a copy thereof shall be exhibited for the information of the public in some conspicuous place at each of such railway stations as the Government of His Highness the Maharaja may direct.

Matters supplemental to the definitions of "railway" and "railway servant."

129. (1) For the purposes of section 3, clauses (5), (6), (7) and sections 4 to 19 (both inclusive), 31 to 36 (both inclusive), 43, 63, 66 to 74 (both inclusive), 78, 79, 80, 82, 83, 85, 86, 89, 93, 104, 106 to 114 (both inclusive), 116 to 120 (both inclusive), 122, 123, 126 and 128, the word "railway," whether it occurs alone or as a prefix to another word, has reference to a railway or portion of a railway under construction and to a railway or portion of a railway not used for the public carriage of passengers, animals or goods as well as to a railway falling within the definition of that word in section 3, clause (4).

(2) For the purposes of sections 5, 21, 66, 82, 83, 85, 86, 103, 104, 107 and 119, sub-sections (1), (2) and (4), and section 120, the expression "railway servant" includes a person employed upon a railway in connection with the service thereof by a person fulfilling a contract with the railway administration.

either the tax mentioned in the notification or, in lieu thereof, such sum, if any, as an officer appointed in this behalf by the Government of His Highness the Maharaja may, having regard to all the circumstances of the case, from time to time determine to be fair and reasonable.

(3) The Government of His Highness the Maharaja may at any time revoke or vary a notification under clause (1) of this section.

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REGULATION NO. X OF 1894

(Passed on the fifth day of October 1894.)

A Regulation to Prevent Infant Marriages in the Territories of Mysore.

Preamble.

WHEREAS it is expedient to prevent Infant Marriages in the Territories of Mysore; His Highness the Maharaja is pleased to enact as follows :—

Short title.

1. This Regulation may be called "The Mysore Infant Marriages Prevention Regulation."

Extent and commencement.

(2) It shall extend to the whole of the Territories of Mysore, but it shall apply only to marriages among the Hindus. It shall come into operation at the expiration of six months from the date of its publication in the official Gazette.

Definition.

2. For the purposes of this Regulation, an "infant girl" means a girl who has not completed eight years of age.

Punishment for causing or abetting infant marriages.

3. Any person who causes the marriage of an infant girl, or who knowingly aids and abets within the meaning of the Indian Penal Code such a marriage, and any man who having completed eighteen years of age marries an infant girl, shall be punished with simple imprisonment for a term which may extend to six months, or with fine, or with both.

Punishment of a man more than fifty years old marrying a girl under fourteen years of age.

4. Any man who having completed fifty years of age marries a girl who has not completed fourteen years of age, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Punishment for abetment of offence provided against in Section 4.

5. Any person who causes the marriage of a girl who has not completed fourteen years of age, with a man who has completed fifty years of age, and any person who knowingly aids and abets, within the meaning of the Indian Penal Code, such a marriage, shall be punished with simple imprisonment for a term which may extend to six months, or with fine, or with both.

Offences under the Regulation by whom triable.

6. No offence punishable under this Regulation shall be tried by any Court inferior to that of a Magistrate of the District.

Validity of marriages, notwithstanding the penalties provided by the Regulation.

7. No marriage which has actually taken place, shall be deemed to be invalid, on the ground of the penalties provided by this Regulation.

No prosecution to be instituted without the previous sanction of Government.

8. No prosecution under this Regulation shall be instituted without the previous written sanction of the Government accorded after such enquiry as the Government may deem fit to make.

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REGULATION No. I OF 1895.

(PASSED ON THE 21ST DAY OF JUNE 1895.)

A Regulation for the Prevention of Cruelty to Animals

Whereas it is expedient to make further provision for the prevention of cruelty to animals; Her Highness the Maharani-Regent is pleased to enact as follows :—

1. (1) This Regulation may be called the Prevention of Cruelty to Animals Regulation, 1895. Title.

(2) It shall come into force in the City of Bangalore on the 27th day of June 1895 and the Government of Mysore may, by notification in the official Gazette, extend on and from a date to be specified in the notification, the whole or any part of this Regulation to such other local areas, in which there is a resident Magistrate, as it may think fit. Commencement and extent.

(3) The Government of Mysore may cancel or vary a notification issued under the last foregoing sub-section.

(4) On this Regulation coming into force, Bengal Act No. I of 1869 (An Act for the Prevention of Cruelty to Animals) extended in part to the territories of Mysore by the Government of India Notification No. 7 J., dated 5th February 1878, shall, except as regards anything done or any offence committed or any fine or penalty incurred or any proceedings commenced, cease to have effect in the territories of Mysore.* and supersession of Bengal Act I of 1869.

2. In this Regulation, unless there is something repugnant in the subject or context, Definitions.

(1) "animal" means any domestic or captured animal ; and

(2) "street" includes any way, road, lane, square, court, alley, passage or open space, whether a thoroughfare or not, to which the public have access.

3. If any person in any street or in any other place, whether open or closed, to which the public have access, or within sight of any person in any street or in any such other place,— Penalty for cruelty to animals in public places and for sale in such places of animals killed with unnecessary cruelty.

(*a*) cruelly and unnecessarily beats, overdrives, overloads, or otherwiseill-treats any animal, or

(*b*) binds or carries any animal in such a manner or position as to subject the animal to unnecessary pain or suffering, or

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* Bengal Act I of 1869, which was in force only in the town of Bangalore within municipal limits and had not been extended to other places, is thus virtually repealed.

(c) offers, exposes or has in his possession for sale any live animal which is suffering pain by reason of mutilation, starvation or other ill-treatment, or any dead animal which he has reason to believe to have been killed in an unnecessarily cruel manner,

he shall be punished with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

Penalty for practising phuka.

4. If any person performs upon any cow the operation called phuka, he shall be punished with fine which may extend to one hundred rupees, or with imprisonment which may extend to three months, or with both.

Penalty for killing animals with unnecessary cruelty anywhere.

5. If any person kills any animal in an unnecessarily cruel manner, he shall be punished with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to six months, or with both.

Penalty for employing anywhere animals unfit for labor.

6. (1) If any person employs in any work or labor any animal which, by reason of any disease, infirmity, wound, sore or other cause is unfit to be so employed, or permits any such unfit animal in his possession or under his control to be so employed, he shall be punished with fine which may extend to one hundred rupees.

(2) The Government of Mysore may, by general or special order, appoint places to be infirmaries for the treatment and care of animals in respect of which offences against sub-section (1) have been committed.

(3) The Magistrate before whom a prosecution for such an offence has been instituted may direct that the animal in respect of which the offence is alleged or proved to have been committed shall be sent for treatment and care to an infirmary and be there detained until it is, in his opinion or in the opinion of some other Magistrate, again fit for the work or labor on which it has been ordinarily employed.

(4) The cost of the treatment, feeding and watering of the animal in the infirmary shall be payable by the owner of the animal according to such scale of rates as the District Magistrate may from time to time prescribe.

(5) If the owner refuses or neglects to pay such cost and to remove the animal within such time as a Magistrate may prescribe, the Magistrate may direct that the animal be sold and that the proceeds of the sale be applied to the payment of such cost.

(6) The surplus, if any, of the proceeds of the sale shall, on application made by the owner within two months after the date of the sale, be paid to him; but the owner shall not be liable to make any payment in excess of the proceeds of the sale.

Penalty for permitting diseased animals to go at large or to die in public places.

7. If any person wilfully permits any animal of which he is the owner to go at large in any street while the animal is affected with contagious or infectious disease, or without reasonable excuse permits any diseased or disabled animal of which he is the owner to die in any street, he shall be punished with fine which may extend to one hundred rupees.

Search-warrants.

8. (1) If a Magistrate of the first class, Sub-Divisional Magistrate or District Superintendent of Police, upon information in writing and after such inquiry as he thinks necessary, has reason to believe that an offence against section 4, section 5 or section 6 is being or is about to be or has been committed in any place, he may either himself enter and search or by his warrant authorize any police-officer above the rank of a constable to enter and search the place.

(2) The provisions of the Code of Criminal Procedure, 1882, relating to searches under that Code shall, so far as those provisions can be made applicable, apply to a search under sub-section (1).

Limitation of prosecution.

9. A prosecution for an offence against this Regulation shall not be instituted after the expiration of three months from the date of the commission of the offence.

Destruction of suffering animals.

10. When any Magistrate or District Superintendent of Police has reason to believe that an offence against this Regulation has been committed in respect of any animal, he may direct the immediate destruction of the animal, if in his opinion its sufferings are such as to render such a direction proper.

Saving with respect to religious rites and usages.

11. Nothing in this Regulation shall render it an offence to kill any animal in a manner required by the religion or religious rites and usages of any race, sect, tribe or class.

REGULATION No. I OF 1899.

(PASSED ON THE 25TH DAY OF MARCH 1899.)

A Regulation to assimilate the law relating to Post Offices in Mysore to that which is from time to time in force in British India.

Whereas it is expedient to make better provision for the efficient working of the British Postal Department in the territories of Mysore; Her Highness the Maharani-Regent is pleased to enact as follows:— Preamble.

1. This Regulation shall come into force from the date of the passing thereof. Commencement.

2. Regulation II of 1895 is hereby repealed. Repeal.

3. Every person who, within the territories of Mysore, commits or omits to do an act which, if committed or omitted to be done by him in British India, would render him liable to punishment under the provisions of the Indian Post Office Act, VI of 1898, or of rules or orders having the force of law issued thereunder by the Government of India, shall be liable to the punishment provided by the said Act or rules or orders. Offenders in Mysore against the Postal law liable to punishment provided by the Indian Post Office Act and rules and orders thereunder.

4. Every person liable to punishment under the foregoing section shall be liable to be tried and punished within the territories of Mysore in the same manner as he would have been liable to be tried and punished if the act had been committed or omitted as aforesaid within British India: Liability of offenders to be tried and punished in Mysore as in British India.

Provided that a European British subject so liable shall be tried in accordance with the law relating to the trial of European British subjects for offences committed in the territories of Mysore.

5. The protection accorded to Government and its servants in the discharge of their duty under the Post Office Act of British India shall be equally accorded in the territories of Mysore, and the law of British India for the regulation of Post Offices as well as rules and orders having the force of law in British India, shall be deemed to apply to the territories of Mysore so far as they may be suitable. Government and its servants to be protected in Mysore as in British India, and the British Postal law to apply also to Mysore.

MGCPB—100—28—12—01.

2 (e) the expression "officer of the Post Office" includes any person employed in any business of the Post Office or on behalf of the Post Office :

(i) the expression "postal article" includes a letter, postcard, newspaper, book, pattern or sample packet, parcel and every article or thing transmissible by post :

Penalty for theft, dishonest misappropriation, secretion, destruction, or throwing away of postal articles.

52. Whoever, being an officer of the Post Office, commits theft in respect of, or dishonestly misappropriates, or, for any purpose whatsoever, secretes, destroys or throws away, any postal article in course of transmission by post or anything contained therein, shall be punishable with imprisonment for a term which may extend to seven years, and shall also be punishable with fine.

Penalty for detaining mails or opening mail bag.

67. Whoever, except under the authority of this Act or in obedience to the order in writing of the Governor General in Council or the direction of a competent Court, detains the mails or any postal article in course of transmission by post, or on any pretence opens a mail bag in course of transmission by post, shall be punishable with fine which may extend to two hundred rupees :

Provided that nothing in this section shall prevent the detention of an officer of the Post Office carrying the mails or any postal article in course of transmission by post, on a charge of having commited an offence declared to be cognizable by the Code of Criminal Procedure, 1898, or any other law for the time being in force.

V of 1898.

Penalty for retaining postal articles wrongly delivered or mail bags.

~~68. Whoever fraudulently retains, or wilfully secretes or makes away with, or keeps or detains, or, when required by an officer of the Post Office, neglects or refuses to deliver up, any postal article in course of transmission by post which ought to have been delivered to any other person, or a mail bag containing a postal~~

Penalty for abetting, or attempting to commit offences under Act.

70. Whoever abets the commission of any offence punishable under this Act or attempts to commit any offence so punishable, shall be punishable with the punishment provided for that offence.

Property in cases of offences to be laid in the Post Office.

71. In every prosecution for an offence in respect of a mail bag or of any postal article sent by post, it shall be sufficient, for the purpose of the charge, to describe the mail bag or postal article as being the property of the Post Office, and it shall not be necessary to prove that the mail bag or postal article was of any value.

Authority for prosecutions under certain sections of Act.

72. No Court shall take cognizance of an offence punishable under any of the provisions of sections 51, 53, 54, clauses (*a*) and (*b*), 55, 56, 58, 59, 61, 64, 65, 66 and 67 of this Act, unless upon complaint made by order of, or under authority from, the Director General or a Post Master General.

CHAPTER XI.

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(11)

REGULATION NO. IV OF 1899.

(*Passed on the 27th day of October* 1899.)

A Regulation to apply the provisions of the Indian Telegraph Act, 1885, to all Telegraph lines in Mysore.

Preamble.

Whereas it is expedient to apply the provisions of the Indian Telegraph Act, 1885, to all Telegraph lines in the Territories of Mysore; Her Highness the Maharani-Regent is pleased to enact as follows:—

The Indian Telegraph Act to apply *mutatis mutandis* in respect of Telegraph lines in Mysore.

1. From and after the date of the passing of this Regulation, the provisions of the Indian Telegraph Act, 1885, shall, *mutatis mutandis*, apply in respect of every Telegraph line established, maintained or worked within the Territories of Mysore.

Vesting of privileges, etc., in the British Government and its officers in respect of lines worked by the British Telegraph Department.

2. Notwithstanding anything contained in Section 1, the privileges, powers and duties of the Government, the Telegraph authority and Telegraph officers shall, as regards Telegraph lines worked by the British Telegraph Department, vest in, and be exercised and performed by, the British Government, and the Telegraph authority and Telegraph officers employed by the British Government.

THE INDIAN TELEGRAPH ACT, 1885
(ACT XIII OF 1885),

AS MODIFIED UP TO 1ST JUNE, 1910.

Definitions.

3. In this Act, unless there is something repugnant in the subject or context,—

(*1*) "telegraph" means an electric, galvanic or magnetic telegraph, and includes appliances and apparatus for transmitting or making telegraphic, telephonic or other communications by means of electricity, galvanism or magnetism:

(*2*) "telegraph officer" means any person employed either permanently or temporarily in connection with a telegraph established, maintained or worked by the Government or by a person licensed under this Act:

(*3*) "message" means any communication sent by telegraph, or given to a telegraph officer to be sent by telegraph or to be delivered:

(*4*) "telegraph line" means a wire or wires used for the purpose of a telegraph, with any casing, coating, tube or pipe enclosing the same, and any appliances and apparatus connected therewith for the purpose of fixing or insulating the same:

(*5*) "post" means a post, pole, standard, stay, strut or other above-ground contrivance for carrying, suspending or supporting a telegraph line:

(*6*) "telegraph authority" means the Director-General of Telegraphs, and includes any officer empowered by him to perform all or any of the functions of the telegraph authority under this Act:

(*7*) "local authority" means any municipal committee, district board, body of port commissioners or other authority legally entitled to, or entrusted by the Government with, the control or management of any municipal or local fund.

Unlawfully attempting to learn contents of messages.

24. If any person does any of the acts mentioned in section 23 with the intention of unlawfully learning the contents of any message, or of committing any offence punishable under this Act, he may (in addition to the fine with which he is punishable under section 23) be punished with imprisonment for a term which may extend to one year.

Intentionally damaging or tampering with telegraphs.

25. If any person, intending—

(*a*) to prevent or obstruct the transmission or delivery of any message, or

(*b*) to intercept or to acquaint himself with the contents of any message, or

(*c*) to commit mischief,

damages, removes, tampers with or touches any battery, machinery, telegraph line, post or other thing whatever, being part of or used in or about any telegraph or in the working thereof,

he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

Telegraph officer or other official making away with or altering, or unlawfully intercepting or disclosing, messages, or divulging purport of signals.

26. If any telegraph officer, or any person, not being a telegraph officer but having official duties connected with any office which is used as a telegraph office,—

(*a*) wilfully secretes, makes away with or alters any message which he has received for transmission or delivery, or

(*b*) wilfully and otherwise than in obedience to an order of the Governor General in Council or of a Local Government, or of an officer specially authorized by the Governor General in Council to make the order, omits to transmit, or intercepts or detains, any message or any part thereof, or otherwise than in pursuance of his official

official duty or in obedience to the direction of a competent Court, discloses the contents or any part of the contents of any message, to any person not entitled to receive the same, or

(*c*) divulges the purport of any telegraphic signal to any person not entitled to become acquainted with the same,

he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

Telegraph officer fraudulently sending messages without payment.

27. If any telegraph officer transmits by telegraph any message on which the charge prescribed by the Government, or by a person licensed under this Act, as the case may be, has not been paid, intending thereby to defraud the Government or that person, he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

Misconduct.

~~**28.** If any telegraph officer, or any person not being a telegraph officer but having official duties connected with any office which is used as a telegraph office, is guilty of any act of drunkenness, carelessness or other misconduct whereby the correct transmission or the delivery of any message is impeded or delayed, or if any telegraph officer loiters or delays in the transmission or delivery of any message, he shall be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one hundred rupees, or with both.~~

Sending fabricated message.

29. If any person transmits or causes to be transmitted by telegraph a message which he knows to be false or fabricated, he shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

Retaining a message delivered by mistake.

~~**30.** If any person fraudulently retains, or wilfully secretes, makes away with or detains a message which ought to have been delivered to some other person, or, being required by a telegraph officer to~~

deliver

deliver up any such message, neglects or refuses to do so, he shall be punished with imprisonment for a term which may extend to two years or with fine, or with both.

Bribery.

31. A telegraph officer shall be deemed a public servant within the meaning of sections 161, 162, 163, 164 and 165 of the [1] Indian Penal Code; and in the definition of "legal remuneration" contained in the said section 161, the word "Government" shall, for the purposes of this Act, be deemed to include a person licensed under this Act. XLV of 1860.

Attempts to commit offences.

32. Whoever attempts to commit any offence punishable under this Act shall be punished with the punishment herein provided for the offence.

PART V.

SUPPLEMENTAL PROVISIONS.

Power to employ additional police in places where mischief to telegraphs is repeatedly committed.

33. (*1*) Whenever it appears to the Local Government that any act causing or likely to cause wrongful damage to any telegraph is repeatedly and maliciously committed in any place, and that the employment of an additional police-force in that place is thereby rendered necessary, the Local Government may send such additional police-force as it thinks fit to the place, and employ the same therein so long as, in the opinion of that Government, the necessity of doing so continues.

(*2*) The inhabitants of the place shall be charged with the cost of the additional police-force, and the District Magistrate shall, subject to the orders of the Local Government, assess the proportion in which the cost shall be paid by the inhabitants according to his judgment of their respective means.

(*3*) All moneys payable under sub-section (*2*) shall be recoverable either under the warrant of a Magistrate

1 Cenl. Acts, Vol. I.

THE MYS[illegible]ST REGULATION X 1900.

(A[illegible]ulation IX of 1901.)

Interpretation clause.

2. In this Regulation and in all rules made thereunder, unless there be something repugnant in the subject or context,—

Forest Officer.

(1) "Forest Officer" means any person appointed by name or as holding an office, by or under the orders of the Government, to be a Conservator, Deputy Conservator, Assistant Conservator, Sub-Assistant Conservator, Forest Ranger, Forester, Forest Guard or watcher, or to discharge any function of a Forest Officer under this Regulation or any rule thereunder:

District Forest Officer.

(2) "District Forest Officer" means the chief Forest Officer of a district, or of a portion of a district if in independent charge of such portion.

Tree.

(3) "Tree" includes stumps, palms, bamboos, canes, and brushwood:

Timber.

(4) "Timber" includes trees when they have fallen or have been felled, and all wood whether cut up or fashioned or hollowed out for any purpose or not:

Forest produce.

(5) Forest produce" includes—

(*a*) the following, whether found in or brought from a forest or not, that is to say, timber charcoal, caoutchouc, catechu, wood oil, resin, natural varnish, bark, lac, mahua flowers and myrabolams, and

(*b*) the following whether found in or brought from a forest, that is to say—

(i) trees and leaves, flowers and fruits, and all other parts or produce not hereinbefore mentioned of trees,

(ii) plants not being trees (including grass, creepers, reeds and moss) and all parts or produce of such plants,

(iii) wild animals, and skins, tusks, horns, bones, silk, cocoons, honey and wax, and all other parts or produce of animals, and

(iv) peat surface-soil, rock and minerals, including lime-stone laterite, mineral oils, and all products of mines or quarries:

Section 3.

(6) "Forest offence" means an offence punishable under this Regulation or any rule issued thereunder: Forest offence.

(7) "Cattle" includes also elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids: Cattle.

(8) "River" includes also streams, canals, creeks and other channels, natural or artificial: River.

(9) "Land at the disposal of Government" means land in respect of which no person has acquired— Land at the disposal of Government.

(*a*) a permanent, heritable and transferable right of use and occupancy under any law for the time being in force; or

(*b*) any right created by grant or lease made or continued by, or on behalf of, Government:

(10) "Magistrate" means a Magistrate of the first or second class, and includes a Magistrate of the 3rd class when he is specially empowered by Government to try forest offences; Magistrate.

(11) "State Forest" means any land settled and notified as such in accordance with the provisions of Chapter II of this Regulation: State Forest.

(12) "Village Forest" means any land notified as such in accordance with the provisions of Chapter III of this Regulation: Village Forest.

(13) "District Forest" includes all land at the disposal of Government not included within the limits of any State or Village Forest nor assigned at the survey settlement as free grazing ground or for any other public or communal purpose: District Forest.

Provided that it shall be competent for Government to modify or set aside such assignment and constitute any such land a State, Village or District Forest, or devote the same to any other purpose it may deem fit.

13. After making such record, the Forest Settlement Officer shall pass such orders as well, as far as possible, ensure the continued exercise of admitted rights Exercise of admitted rights.

17 The Government may publish a notification in the official Gazette specifying the limits of the forest which it is intended to constitute a State Forest and declaring the same to be a State Forest from a date fixed by such notification, subject to the exercise of rights (if any) specified at foot of the said notification.

From the date so fixed such forest shall be deemed to be a "State Forest."

Provided that if the rights of private persons to or over any land or forest produce in such forest shall not have been enquired into, settled and recorded in a manner which the Government deems sufficient, the same shall be enquired into, settled and recorded in the manner provided by this Regulation; and, until such enquiry, settlement and record have been completed, no such declaration shall abridge or affect such rights.

Acquisition of rights over State Forests.

20. No right of any description shall be acquired in or over a State Forest, except by succession or under grant or contract in writing made by or on behalf of the Government or of some person in whom such right or the power to create such right was vested when the notification under Section 17 was published.

Penalties for trespass or damage in State Forests.

24. Any person who in a State Forest—

(*a*) trespasses, or pastures cattle, or permits cattle to trespass, or

(*b*) causes any damage by negligence in felling any tree or cutting or dragging any timber, or strips off the bark or leaves from, or otherwise damages any tree or shrub, or

(*c*) poisons or dynamites water, or, in contravention of any rules made by the Government, hunts, shoots, fishes, or sets traps or snares,

shall be punished with fine which may extend to fifty rupees or, when the damage resulting from his offence amounts to more than twenty-five rupees, to double the amount of such damage.

Acts prohibited in State Forests.

25. Any person who—

(*a*) makes any fresh clearing prohibited by section 6, or

(*b*) sets fire to a State Forest, or, in contravention of any rules made by the Government, kindles any fire, or, leaves any fire burning, in such manner as to endanger such a forest,

or who, in any such forest,

(*c*) kindles, keeps or carries any fire except at such seasons and in such manner as a Forest Officer duly empowered in this behalf may from time to time notify, or

(*d*) fells, cuts, girdles, marks, lops, taps or injures by fire or otherwise any tree or

Sections 26-29.

(*e*) quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest produce, or

(*f*) clears or breaks up any land for cultivation or any other purpose,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Acts excepted from Sections 24 and 25.

26. Nothing in Section 24 or Section 25 shall be deemed to prohibit—

(*a*) the exercise, in accordance with the rules, if any, made by the Government under Section 13, of any right continued under that section, or

(*b*) the exercise of any right created by grant or contract in the manner described in Section 20, or

(*c*) any act done with the permission in writing of a Forest Officer duly empowered to grant such permission.

Privileges may be granted in State Forests.

27. The Government may in any State Forest grant such privileges as may be consistent with the due maintenance of the forest; and may, without assigning reason therefor, cancel such grant;

Provided always that all privileges so granted shall previously be specified and recorded by the Deputy Commissioner of the District in the manner provided in Section 12:

Provided further that the exercise of any privilege under this section shall be for the use of the person entitled thereto, and not for the purpose of export or merchandise.

Penalty for offences committed by persons having rights in State Forests.

28. Whenever fire is caused wilfully or by gross negligence in a State Forest by any person having rights in such forest or by any person in his employment, or whenever any person having rights in such forest contravenes the provisions of Section 21, the Government may, notwithstanding the infliction of any punishment under this Regulation, direct that in such forest, or any specified portion thereof, the exercise of all or any of the rights of pasture or to forest produce shall be extinguished, or for such period as it thinks fit be suspended.

Persons bound to assist Forest Officer and Police Officer.

29. Every person who exercises any right in a State Forest, or who is permitted to take any forest produce

from, or to cut and remove timber or to pasture cattle in, such forest, and every person who is employed by any such person in such forest, and every village officer or person in any village contiguous to such forest who is employed by Government, shall be bound to furnish without unnecessary delay to the nearest Forest Officer or Police Officer any information he may possess respecting the occurrence of fire in or near such forest or the commission of, or intention to commit, any forest offence, and shall assist any Forest or Police Officer [a] * * *

(*a*) in extinguishing any fire occurring in such forest,

(*b*) in preventing any fire which may occur in the vicinity of such forest from spreading into such forest,

[b] and shall assist any Forest or Police officer demanding his aid[b].

(*c*) in preventing the commission in such forest of any forest offence, and,

(*d*) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

Power to declare forests no longer State Forests.

30. (1) The Government may, by notification in the official Gazette, direct that, from a date to be fixed by such notification, any forest constituted a State Forest under this Regulation or any portion thereof, shall cease to be a State Forest or portion of a State Forest.

(2) From the date so fixed, such forest or portion shall cease to be of a State Forest or portion of State Forest, but the rights, if any, which have been extinguished therein shall not revive in consequence of such cessation.

CHAPTER III.—VILLAGE FORESTS.

Constitution of Village Forests.

31. (1) The Government may, by notification in the official Gazette, constitute any land at the disposal of the Government a Village Forest for the benefit of any village community or group of village communities, and may in like manner vary or cancel any such notification.

[a-a] The words "demanding his aid" were omitted, and [b-b] these words were inserted in Section 29, by Regulation IX of 1901, s. 2.

(2) Every such notification shall specify the limits of such Village Forest.

Power to make rules for Village Forests.

32. (1) The Government may make rules for regulating the management of Village Forests, prescribing the conditions under which the community or group of communities for the benefit of which any such forest is constituted may be provided with forest produce or with pasture, and their duties in respect of the protection and improvement of such forest.

(2) The Government may by such rules declare all or any of the provisions of Chapter II of this Regulation to be applicable to Village Forests.

Inquiry into, and settlement of, rights.

33. All claims to any rights other than the rights of the village community or group of village communities for the benefit of which such Village Forest is constituted, shall be inquired into, recorded and provided for in the manner prescribed by Chapter II of this Regulation.

~~CHAPTER IV~~.—DISTRICT FORESTS.

Power to grant privileges in District Forests.

34. The Government may, in any District Forest, grant such privileges as it thinks fit in regard to the removal by cultivating raiyats or other classes of persons, of forest produce required for prescribed purposes; and may, without assigning reason therefor, cancel such grant: Provided always that the exercise of any privilege under this section shall be for the use of the person entitled thereto, and not for the purpose of export or merchandise.

Power to make rules for District Forests.

35. Subject to all rights now legally vested in individuals and communities, the Government may, for any district or portion of a district, make rules to regulate the use of the forest produce or of the pasturage of any land at the disposal of Government and not included in a State or Village Forest.

Such rules may amongst other things—

(iii) provide for placing any area at the disposal of Government under special protection, in view to its subsequent settlement and constitution as a State Forest or for any other purpose, and prescribe the conditions and penalties attendant on such special protection;

Proclamation by Forest Settlement Officer.
Bar of accrual of forest rights.

36. The Government may by such rules prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to one month or fine which may extend to two hunderd rupees, or both.

Penalties for acts in contravention of rules.

Provided that the Government may exempt any person or class of persons from the operation of all or any of such rules.

Persons bound to assist Forest Officer and Police Officer.

[a] 36B. Every person who exercises any right in any land placed under special protection under clause (iii) of Section 35, or who is permitted to take any forest produce from, or to cut and remove timber or to pasture cattle in such land and every person who is employed by any such person in such land and every village officer or person in any village contiguous to such land who is employed by Government, shall be bound to furnish without unnecessary delay to the nearest Forest Officer or Police Officer any information he may possess respecting the occurrence of fire in or near such land or the commission of, or intention to commit, any forest offence, and shall assist any Forest or Police Officer—

(*a*) in extinguishing any fire occurring in such land.

(*b*) in preventing any fire which may occur in the vicinity of such land from spreading into such land, and shall assist any Forest or Police Officer demanding his aid

(*c*) in preventing the commission in such land of any forest offence, and.

(*d*) when there is reason to believe that any such offence has been committed in such land, in discovering and arresting the offender.

CONTROL OF FOREST PRODUCE IN TRANSIT.

Power to make rules to regulate transit of forest poduce.

37. (1) The control of all rivers and their banks as regards the floating of timber, as well as the control of all forest produce in transit by land or water, is vested in the Government, which may make rules to regulate the transit of any forest produce.

Penalties for breach of rules under the last foregoing section.

38. (1) The Government may, by a rule under the last foregoing section, attach to the breach of any rule under that section any punishment not exceeding imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

(2) In cases where the offence is committed after sunset and before sunrise or after preparation for resistance to the execution of any law or any legal process or where the offender has been previously convicted of a like offence, the convicting Court may inflict double the penalty prescribed for such offence.

COLLECTION OF DRIFT, STRANDED AND OTHER TIMBER.

Power to make rules and prescribe penalties.

44. (1) The Government may make rules to regulate the following matters, namely :—

(*a*) the salving, collection, and disposal of all timber mentioned in Section 39 ;

(*b*) the use and registration of boats used in salving and collecting timber ;

(*c*) the amount to be paid for salving, collecting, moving, storing, and disposing of such timber ; and

(*d*) the use and registration of hammers and other implements to be used for marking such timber.

Sections 45-47.

(2) The Government may, by a rule under this section, attach to the breach of any rule under this section any punishment not exceeding imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

CHAPTER VII.—PENALTIES AND PROCEDURE.

Seizure of property liable to confiscation.

45. (1) When there is reason to believe that a forest offence has been committed in respect of any forest produce, such produce, together with all tools, boats, carts and cattle used in the commission of such alleged offence, may be seized by any Forest Officer or Police Officer.

(2) Every officer seizing any property under this section shall place on such property, or the receptacle, if any, in which it is contained, a mark indicating that the same has been so seized, and shall, as soon as may be, make a report of such seizure to the Magistrate having jurisdiction to try the person accused of the offence on account of which the seizure has been made:

Provided that when the forest produce with respect to which such offence is believed to have been committed is the property of the Government and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

Procedure on receipt by Magistrate of report of seizure.

46. Upon the receipt of any such report, the Magistrate shall take such measures as may be necessary for the trial of the accused and the disposal of the property according to law.

Forest produce, tools, etc., when liable to confiscation

47. (1) When any person is convicted of a forest offence, all forest produce which is not the property of the Government, and in respect of which such offence has been committed, and all tools, boats, carts and cattle used in the commission of such offence, shall be liable, by order of the convicting Court, to confiscation.

(2) Such confiscation may be in addition to any other punishment prescribed for such offence.

Disposal, on conclusion of trial for Forest offence, of produce in respect of which it was committed.

48. When the trial of any forest offence is concluded, any forest produce in respect of which such offence has been committed shall, if it is the property of the Government, or has been confiscated, be taken possession of by a Forest Officer duly empowered in this behalf, and, in any other case, shall be disposed of in such manner as the Court may order.

Procedure when offender is not known or cannot be found.

49. (1) When the offender is not known or cannot be found, the Magistrate enquiring into the offence, if he finds that an offence has been committed, may, on application in this behalf, order the property in respect of which the offence has been committed, to be confiscated and taken possession of by a Forest Officer duly empowered in this behalf, or to be made over to such Forest Officer or other person as the Magistrate may consider entitled to the same:

Provided that no such order shall be made till the expiration of one month from the date of the seizure of such property, or without hearing the person, if any, claiming any right thereto, and the evidence, if any, which he may produce in support of his claim.

(2) The Magistrate shall either cause a notice of any application under Sub-section (1) to be served upon any person whom he has reason to believe to be interested in the property seized, or publish such notice in any way which he may think fit.

Procedure as to perishable property seized under Section 45.

50. The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under Section 45 and subject to speedy and natural decay, and may deal with the proceeds as he might have dealt with such property if it had not been sold.

Appeal from orders under Sections 47, 48 and 49.

51. Any person claiming to be interested in property seized under Section 45 may, within one month from the date of any order passed by a Magistrate under Section 47, 48 or 49, present an appeal therefrom to the Court to which orders made by such Magistrate are ordinarily appealable, and the order passed on such appeal shall be final.

Vesting of confiscated property in Government.

52. When an order for the confiscation of any property has been passed under Section 47 or 49 and the period limited by Section 51 for presenting an appeal from

such order has elapsed, and no such appeal has been presented, or when, on such an appeal being presented, the appellate Court confirms such order in respect of the whole or a portion of such property, such property or portion, as the case may be, shall vest in the Government free from all encumbrances.

53. Nothing hereinbefore contained shall be deemed to prevent any Forest Officer or other Officer empowered in this behalf by the Government from directing at any time the immediate release of any property seized under Section 45, which is not the property of Government, and the withdrawal of any charge made in respect of such property.

Saving of power to release property seized.

54. (1) Any Forest Officer or Police Officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Regulation shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Punishment for wrongful seizure.

(2) Any fine so imposed, or any portion thereof, shall, if the convicting Court so directs, be given as compensation to the person aggrieved by such seizure.

55. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code,—

Penalty for counterfeiting or defacing marks on trees and timber and for altering boundary marks.

(*a*) knowingly counterfeits upon any timber or standing tree a mark used by Forest Officers to indicate that such timber or tree is the property of the Government or of some person or that it may lawfully be felled or removed by some person, or

(*b*) unlawfully affixes to any timber or standing tree a mark used by Forest Officers, or

(*c*) alters, defaces, or obliterates any such mark placed on any timber or standing tree by or under the authority of a Forest Officer, or

(*d*) alters, moves, destroys, or defaces any boundary mark of any forest or waste land to which any provisions of this Regulation apply,

shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

Power to arrest without warrant.

56. (1) Any Forest Officer or Police Officer may without orders from a Magistrate and without a warrant, arrest any person reasonably suspected of having been concerned in any forest offence punishable with imprisonment for one month or upwards, if such person refuses to give his name and residence, or gives a name or residence which there is reason to believe to be false, or if there is reason to believe that he will abscond.

(2) Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case or to the officer in charge of the nearest Police Station.

Power to prevent commisison of offence.

57. Every Forest Officer and every Police Officer shall prevent, and may interfere for the purpose of preventing the commission of any forest offence.

Operation of other laws not barred.

58. Nothing in this Regulation shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes a forest offence, or from being liable under such other law to any higher punishment or penalty than that provided by this Regulation or the rules made thereunder.

Provided that no person shall be punished twice for the same offence.

Power to compound offences.

59. (1) The Government may, by notification in the official Gazette, empower a Forest Officer by name, or as holding an office,—

(*a*) to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence other than an offence specified in Section 54 or Section 55, a sum of money by way of compensation for the offence which such person is suspected to have committed, and,

(*b*) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer.

(2) On the payment of such sum of money or such value or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged,

the property, if any, seized shall be released, and no other proceedings shall be taken against such person or property.

(3) No Forest Officer shall be empowered under this section, unless he is of a rank not inferior to that of Forest Ranger and is in receipt of a monthly salary of not less than seventy rupees, and the sum of money accepted as compensation under Sub-section (1) clause (*a*), shall in no case exceed fifty rupees.

(4) The officer accepting such compensation shall in all cases record proceedings setting forth the circumstances and amount of compensation accepted, and a copy thereof shall be given to the person paying the compensation, and another submitted with the least possible delay to the officer's immediate official superior. The amount of compensation received shall be credited to Government without undue delay.

Presumption that forest produce belongs to Government.

60. When in any proceedings taken under this Regulation, or in consequence of any thing done under this Regulation, a question arises as to whether any forest produce is the property of Government, such forest produce shall be deemed to be the property of Government, until the contrary is proved.

Compensation for damage caused by commission of offences.

61. (1) When any person is convicted of felling, cutting, girdling, marking, lopping, or tapping trees, or of injuring them by fire or otherwise, in contravention of this Regulation or of any rule thereunder, the convicting Court may, in addition to any other punishment which it may award, order that person to pay to the Government such compensation, not exceeding ten rupees for each tree with respect to which the offence was committed, as it deems just.

(2) If the person convicted of the offence committed it as the agent or servant of another person, the convicting Court may, unless, after hearing that other person, it is satisfied that the commission of the offence was not a consequence of his instigation or of any neglect or default on his part, order him, instead of the person who committed the offence, to pay the compensation referred to in Sub-section (1).

Sections 62-64.

(3) An appeal from any order under Sub-section (1) or Sub-section (2) shall lie to the Court to which orders made by the convicting Court are ordinarily appealable, and the order passed on such appeal shall be final.

Forfeiture of leases.

62. When the holder of any lease, license, or contract whatsoever granted or continued by or on behalf of the Government for any of the purposes of this Regulation commits an offence against this Regulation or any rule thereunder, or when any such offence is committed by any agent or servant of the holder of any such lease, license, or contract, and the Government is satisfied that the commission of the offence was a consequence of the instigation of such holder or of any wilful neglect or default on his part, the Government may, by order in writing, declare the lease, license, or contract to be forfeited in whole or in part with effect on and from a date to be specified in the order.

~~CHAPTER VIII~~.—CATTLE TRESPASS.

Cattle Trespass Act, 1871, as amended by Regulation VIII of 1892, to apply.

63. Cattle trespassing in a State or Village Forest, or in a District Forest contrary to the provisions of Section 35 and the rules made thereunder, shall be deemed to be cattle doing damage to a public plantation within the meaning of Section 11 of the Cattle Trespass Act, 1871*, as amended by Regulation VIII of 1892, and may be seized and impounded as such by any Forest Officer or Police Officer.

Power to alter fines fixed by that Act.

64. ~~The Government may, by notification in the official Gazette, direct that, in lieu of the fines fixed by Section 12 of the Cattle Trespass Act, 1871*, as amended by Regulation VIII of 1892, there shall be levied for each head of cattle impounded under Section 63 of~~

* See Mysore Code, Vol. I, pp. 204-215, for Act 1 of 1871, as amended by Regulation VIII of 1892.

65. (1) The Government may invest any Forest Officer by name, or as holding an office, with all or any of the following powers, namely :—

Investiture of Forest Officers with certain powers.

125

(a) power to enter upon any land and to survey, demarcate, and make a map of the same ;

(b) the powers of a Civil Court to compel the attendance of witnesses and the production of documents ;

(c) power to issue search-warrants under the Code of Criminal Procedure ;

(d) power to hold inquiries into forest offences, and in the course of such inquiries to receive and record evidence ;

(2) Any evidence recorded under clause (d) of Sub-section (1) shall be admissible in any subsequent trial before a Magistrate of the alleged offender :

Provided that it has been taken in the presence of the accused person and recorded in the manner provided by Section 355, Section 356, or Section 357 of the Code of Criminal Procedure.

Forest Officers deemed public servants.

66. All Forest Officers shall be deemed to be public servants within the meaning of the Indian Penal Code.

Indemnity for acts done in good faith.

67. No suit or criminal prosecution shall lie against any public servant for anything done or omitted by him in good faith under this Regulation.

~~and may withdraw any power so conferred.~~

Forest Officers not to trade.

68. No Forest Officer shall, as principal or agent, trade in forest produce, or be or become interested in any lease or mortgage of any forest, or in any contract for working any forest, whether in Mysore or in foreign territory.

CHAPTER X.—SUPPLEMENTAL PROVISIONS.

Forest rights of inamdars entitled to timber and sandalwood.

69. (1) All inamdars who, by the terms of their sannads, or by judicial decision, are entitled to the timber and sandalwood in their inam villages, may fell and sell without previous reference any such timber, excepting sandalwood.

(2) The Conservator of Forests may cause any sandalwood growing in such inam lands to be cut and sold on behalf of the inamdars under such rules as may, from time to time, be made by the Government.

Forest rights of inamdars not entitled to timber and sandalwood.

70. Inamdars who are not entitled by sannads or by judicial decision to the timber and sandalwood growing on their inam lands may cut and sell all wood, with the exception of teak and sandal growing on such lands.

Removal of forest produce from inam lands.

71. No trees, wood or timber or other forest produce shall be removed from inam lands without a pass, to be obtained under such rules as the Government may, from time to time, make; provided that no payment shall be made for such passes.

Sandalwood the exclusive property of Government.

72. All sandal trees in Mysore shall be the exclusive property of Government, unless the same be situated in an area in which the Government may have expressly alienated its right to sandalwood.

74. In any case of a forest offence having reference to the cutting, uprooting or removal of, or damage to, a sandal tree or part of a sandal tree belonging to Government, the maximum penalty to which the offender is liable under any other section of this Regulation shall be doubled.

Penalty for offence in regard to sandalwood.

75. No person shall manufacture or distil oil from sandalwood without a license in that behalf to be granted by such authority and subject to such restrictions and conditions as the Government may from time to time prescribe.

Regulation of the manufacture of sandalwood oil.

Penalties for breach of rules.

78. Any person breaking any rule under this Regulation for the breach of which no special penalty is provided, shall be liable on conviction to imprisonment for a term which may extend to one month, or fine which may extend to two hundred rupees, or both.

exercised or performed;

(*b*) to regulate the procedure of Forest Settlement Officers;

(*c*) for the preservation, re-production and disposal of forest produce belonging to Government, but grown on lands belonging to or in the occupation of private persons;

(*d*) to regulate the rewards to be paid to officers and informers from the proceeds of fines and confiscations under this regulation or from the public treasury; and

(*e*) generally, to carry out the objects and purposes of this Regulation.

Lien on forest produce for such money.

80. (1) When any such money is payable for, or in respect of, any forest produce, the amount thereof shall be deemed to be a first charge on such produce; and such produce may be taken possession of by a Forest Officer duly empowered in this behalf, and may be retained by him until such amount has been paid.

Power to sell such produce.

(2) If such amount is not paid when due, such Forest Officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

(3) The surplus, if any, if not claimed within two months from the date of sale by the person entitled thereto, shall be forfeited to the Government.

Government and its officers not liable for loss or damage in respect of certain forest produce.

81. The Government shall not be responsible for any loss or damage which may occur in respect of any forest produce while at a revenue station or depôt, established under Section 37, Sub-section (2), clause (*g*), or while detained elsewhere for the purposes of this Regulation; and no Forest Officer shall be responsible for any such loss or damage unless he causes the same negligently, maliciously, or fraudulently.

All persons bound to aid in case of accident at station or depot.

82. In case of any accident or emergency involving danger to any property at any such station or depôt, every person employed at such station or depôt, whether by the Government or by any private person, shall render assistance to any Forest Officer or Police Officer demanding his aid in averting such danger and securing such property from damage or loss.

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REGULATION No. II OF 1901.

(PASSED ON THE 8TH DAY OF APRIL 1901.)

Regulation to prevent the indiscriminate destruction of Wild Animals and Birds, and to provide for the protection of Game and Fish in Mysore.

Preamble.

Whereas it is expedient to prevent the indiscriminate destruction of wild animals and birds, and to provide generally for the protection of game and fish in Mysore, Her Highness the Maharani-Regent is pleased to enact as follows :—

Short Title.

1. (1) This Regulation may be called the "Mysore Game and Fish Preservation Regulation, 1901:"

Extent and commencement.

(2) It shall extend to such local areas as may from time to time be specified by Government by notification in the official Gazette.

(3) And it shall come into force at the end of six months from the date of its publication in the official Gazette.*

2. In this Regulation, "Game" means antelope, ibex, jungle-sheep, sambhar and all other descriptions of deer, bison, hares, jungle-fowl, spur-fowl, pea-fowl, partridge, grouse, quail, wood-cock, bustard, florican, duck and teal, and shall include such other animals and birds as the Government of Mysore may, by notification in the official Gazette, declare to be Game.

Absolute protection of particular classes other than "Game."

3. The Government of Mysore may, from time to time, by notification in the official Gazette, prohibit absolutely the killing or capture of any specified kinds of

*Regulation II of 1901 was first published in the *Mysore Gazette*, dated 11th April 1901, Part III.

animals or birds, the killing or capture of which the Government may consider unsportsmanlike or otherwise inexpedient, provided that such animals or birds do not come under the definition of " Game " for the time being in force.

Limited protection of particular classes killed for commercial purposes.

4. Whenever the Government of Mysore has reason to believe that any particular kinds of wild animals or birds, whether included in the definition of "Game" or not, are being largely destroyed for the sake of their skins, horns or plumage for commercial or other purposes, it may, by notification in the official Gazette,

(*a*) prohibit the killing or capture of such particular kinds except under and in accordance with the conditions of a license, granted by such officer and in such form as the Government may prescribe in this behalf, and

(*b*) prohibit the killing or capture of such particular kinds either during a defined period of time, or within a defined area, or both.

Regulation of fishing.

5. (1) The Government of Mysore may from time to time, by notification in the official Gazette, make rules for the regulation and control of fishing in any stream or lake, and may, from time to time amend or cancel any rule so made.

(2) Rules under this section may, among other matters, prohibit the poisoning of the water of any stream or lake, and prohibit or regulate the placing or throwing of any explosive or deleterious substance therein, and the use, for the capture of fish, of fixed engines and nets of a mesh below a certain size.

Close season and protection of game and fish.

6. The Government of Mysore may, from time to time, by notification in the official Gazette,

(1) fix a season or seasons in every year during which it shall not be lawful for any person within any specified local area to kill or capture, or attempt to kill or capture, game or fish of any specified kind ;

(2) prohibit altogether, for any period not exceeding five years, within any specified local area, the killing or capture of game or fish of any specified kind ;

(3) prohibit absolutely the killing or capture of the mature females or immature males or females of any specified kinds of game, or the taking out or destruction of the eggs of game birds ;

(4) prohibit or regulate the setting of nets, snares, traps, or spring-guns, the laying of poison or poisonous ingredients or preparations, or the digging of pits, to entrap or kill game or any specified kinds of game;

(5) regulate or prohibit, except under, and in accordance with, the conditions of a license granted as provided by rules to be framed by the Government, the capture and killing of game or of any specified kinds of game;

and may, from time to time, amend or cancel such notification.

Provided that no such notification shall have effect until one month from the date of its first publication in the official Gazette.

7. The Government of Mysore may, from time to time, by notification in the official Gazette, make rules regulating the sale of game and fish within any specified local area.

Rules about the sale of game and fish.

8. Any person who wilfully kills, captures or sells, or attempts to kill, capture or sell, any animal, bird, game or fish, or does any other act, in contravention of this Regulation, or of any rules or notification under this Regulation, or in contravention of any condition contained in a license granted under this Regulation or under the rules made thereunder, shall be liable on conviction to fine not exceeding one hundred rupees.

Penalty for certain offences.

9. When any person is convicted of an offence punishable under this Regulation, the convicting Court or Magistrate may direct that the whole or any portion of any animal, bird, game or fish, killed or captured by such person and of all weapons, implements and dogs used in and for the purpose of aiding the commission of such offence, shall be confiscated, and any license granted under this Regulation to such person may be cancelled by the officer who granted such license.

Disposal of killed or captured game or fish, or weapons, etc., belonging to offender convicted under section 8.

10. Subject to such rules as the Government of Mysore may from time to time prescribe, all fees and fines levied, and sums realized by the sale of property confiscated under this Regulation, shall be paid into the public treasury. But the convicting Court or Magistrate may award to any person or persons on whose information the conviction was obtained, the whole or any portion of any fine imposed or of any sum realized as aforesaid.

Fees, fines, etc., realized under Regulation. Rewards to informants.

Power to Forest and other officers to make arrests of offenders under this Regulation.

11. Any Forest Officer and any other Officer or person empowered in this behalf by the Government of Mysore or by a subordinate Revenue authority to which the Government may have delegated its authority for the purpose, may arrest without a warrant any person who commits in his view any offence punishable under this Regulation or the rules thereunder, and who, on demand, refuses to give his name and address or gives a name and address which there is no reason to believe is false.

Exception.

12. Nothing in this Regulation shall be deemed to prevent any owner or occupier of land from killing, capturing or pursuing game doing damage to any crop growing thereon, so far as the same may be necessary for the protection of the crop.

Rules under the Mysore Game and Fish Preservation Regulation, II of 1901, published with Notification No. 9007—Legis. 56, dated Bangalore, 11th December 1901, and amended from time to time.

I. With reference to Sub-section (2) of Section 1 of the Mysore Game and Fish Preservation Regulation, II of 1901, it is hereby notified that the local area to which the Regulation extends shall comprise all the districts in the Mysore State.

II. 1. In exercise of the powers conferred by the said Regulation, II of 1901, the Government of Mysore are further pleased to prescribe the following rules, which shall come into force throughout the State on the first day of February 1902 :—

Provided that, as regards State Forests, and lands specially protected under Section 35 of the Mysore Forest Regulation, XI of 1900, the operation of these rules shall be subject to the provisions of the said Forest Regulation and the rules, if any, framed thereunder.

2. The killing of monkeys, brahmin kites, parrots, and birds of song is absolutely prohibited.

Provided that any owner or occupier of land may kill (as well as capture or pursue) monkeys or parrots doing damage to fruit or other crop growing thereon, so far as the same may be necessary for the protection of the crop.

*3.– (1) The killing or capture of birds with bright colored plumage and of pea-fowl is prohibited for a further period ending with the 30th June 1922. [a]

The killing or capture of antelope is prohibited for a period of five years absolutely in the districts of Mysore, Bangalore, Kadur and Hassan and subject to the provision in paragraph 2 of the rule in the other districts.

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* As revised by Notification No. J. 3399—Legis. 12-07-24, dated 16th March 1917.

[a] The period of protection was extended to 30th June 1922 by Notification No. J. 4871—Legis. 49-16-4, dated 27th June 1917.

(2) The District Magistrate may, on the application of a game license under these rules grant written permission to such holder to shoot within the year for which the license was granted only one mature antelope with horns not less than 15 inches long. A report of the antelope shot shall be furnished to the District Magistrate by the license-holder without unreasonable delay.

4. The following acts in respect of any stream or lake (*i.e.*, tank) with a view to the capture or destruction of fish are forbidden, that is to say,—the poisoning of water, the placing or throwing of dynamite or other explosive or deleterious substance in water, the setting of fixed engines, and [b] the use of nets having a mesh below two inches in the case of perennial streams and three-fourths of an inch in other cases. [b]

5. Deputy Commissioners are authorized to declare, from time to time, by Notification in Part II of the *Mysore Gazette*, all or any streams or lakes or any portion of the same to be closed against fishing during any year or part of a year or during the spawning season, and, in like manner, to prohibit for like periods, the capture or destruction of any particular species of fish therein.

Explanation.—The spawning season is as follows :—

As regards streams running to the West Coast—from 1st March to 31st August ; as regards streams running to the East Coast—from 1st May to 30th November ; in other cases—from 1st June to 31st December, both days inclusive.

6. It shall not be lawful for any person to kill—

(*a*) Hares, or any description of feathered game other than migratory birds, (*i.e.*, other than duck and teal), between the 1st of March and the 1st of September in any year ;

(*b*) Duck or teal, between the 1st of May and the 1st of October in any year ;

(*c*) The females, whether mature or otherwise, or the immature males of bison, sambhar, antelope, ibex, or any variety of deer, at any time of the year ; and

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[b]—[b] Introduced by Notification No. 2814—J. 39 of 03, dated 30th June 1904.

(*d*) [a] Any mature male sambhar or spotted deer, if it is hornless or its horns are in velvet. [a]

(*e*) Any other game, between the 15th of June and the 15th of October in any year.

7. The taking out or destruction of the eggs of game birds is absolutely prohibited.

8. (*a*) No person shall sell or expose for sale any kind of game during the close season prescribed in these rules.

(*b*) Deputy Commissioners are authorized to prohibit the sale of fish in the neighbourhood of any stream or lake or portion thereof closed against fishing under Rule 5, or the sale in such neighbourhood of any species of fish of which the capture or killing may have been prohibited under that rule:

Provided that nothing herein shall apply to fish which the person selling or attempting to sell the same can prove to have been caught in some place where its capture was not unlawful.

(*c*) It shall not be lawful for any person to sell game or fish at any time within the limits of any Municipality unless he shall have obtained a license in this behalf from the President or Vice-President of the Municipality, on payment of a fee of 4 annas, such license being renewable at the end of every year on payment of a like fee.

9. Except to the extent permitted under Section 12 of the Regulation, no person shall shoot at and kill, game, or attempt so to do, without a license in the form appended to these rules, to be obtained from the Magistrate of the District [b] or Sub-Divisional Magistrate [b] on payment of a fee of 5 rupees. The District Magistrate [b] or the Sub-Divisional Magistrate [b] shall be at liberty either to grant or to refuse to grant a license; or if satisfied that the conditions of a license have not been complied with, whether wholly or in part, to withdraw or cancel the same at any time.

[c] *Exception.*—The following classes of officers when travelling on Government duty in their respective

[a]—[a] Added by Notification No. J. 3399—Legis. 12-07-24, dated 16th March 1917.

[b]—[b] Introduced by Notification No. 2173—J. F. 86 of 03, dated 30th June 1903.

[c]—[c] Introduced by Notification No. J. 3399—Legis. 17-07-24, dated 16th March 1917.

jurisdiction are exempted from taking out a license and may stalk or track game in any forest open for shooting, obtaining a permit from the Conservator of Forests in Mysore or from any officer authorised by him in this behalf. They should not beat or drive and shall observe the close seasons and other restrictions under the Rules:

(1) All Heads of Departments;

(2) All Deputy Commissioners and District Magistrates of Districts;

(3) Gazetted Forest Officers; and

(4) Gazetted Police Officers." [c]

10. A license granted under the preceding rule shall cover only the individual in whose name it was issued and shall not be transferable to any other person. It shall be available only till the expiration of the calendar year for which it was granted; but it may be renewed, previous to such expiration, on payment of a second fee.

The operation of such license may be extended—

[a] (*a*) To any State Forests, or land specially protected under Section 35 of the Mysore Forest Regulation, comprised within the district for which the license was granted on payment of an additional fee of Rs. 10 and on counter-signature by the Conservator of Forests;

(*b*) To all State Forests, and lands specially protected as aforesaid wherever situated, or to the whole of the Mysore State generally, on payment of a fee of Rs. 20 in addition to the initial fee of Rs. 5, and on counter-signature by the Conservator of Forests in the case of State Forests and lands specially protected as aforesaid and in the case of other localities by the Inspector-General of Police or other officer authorized in this regard by the Government [a]; and

[b] (*c*) To any district or districts other than the one for which the license was granted, on payment of a fee of Rs. 5, for each additional district in addition to the initial fee of Rs. 5, and on counter-signature by the District Magistrate or Magistrates concerned [b].

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[a]—[a] Substituted for the original by Notification No. 1677—J. 153, dated 28th July 1902.

[b]—[b] Introduced by Notification No. J. 3341—Legis. 15-04-15, dated 20th May 1905.

[a] Provided that nothing in this paragraph applies to a State Forest or other Forest or land at the disposal of Government constituted as Game Preserve by a notification in this behalf [a].

[b] 10A. When a license granted in accordance with these rules is lost or accidentally destroyed, a duplicate may be granted to the licensee on payment of a fee of annas 4 in the case of licenses under Rule 8 (*c*), and of one rupee in all other cases. [b]

[d] 10B. Notwithstanding anything contained in Rules 9 and 10, the District Magistrate may grant to an owner or occupier of land in any of the tracts specified in the margin, a license to pursue, shoot at and kill game on payment of a reduced fee of Rs. 2 which shall have operation over such portion of the District and State Forests and lands specially protected under Section 35 of the Mysore Forest Regulation, as lies within the limits of the hobli in which the licensee resides

The whole of the Shimoga and Kadur Districts; the Hassan Taluk (including Alur Sub-Taluk), and the Manjarabad and Belur Taluks of the Hassan District; and the Heggaddevankote, Hunsur, Chamrajnagar and Gundlupet Taluks of the Mysore District.

If the hobli within the limits of which the licensee resides adjoins another district, the operation of such license may be extended, without payment of any additional fee, to any specified portion of such adjoining district, State Forest and land specially protected as aforesaid, situated therein, on countersignature by the District Magistrate of such district.

It shall be competent to the District Magistrate granting a license under this rule, to withdraw or cancel the same at any time, for sufficient cause. [d]

[e] 10 C (*a*) The aggregate of game of the following species allowed to be killed by any one person holding a license under these rules during the calendar year for which the license is granted shall not exceed—

(1) two bisons,
(2) four chitals,
(3) two sambhars, and
(4) two barking deer or munt jac.

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[a]—[a] Introduced by Notification No. J. 952—Legs., dated 15th October 1904.

[b]—[b] Introduced by Notification No. J. 1103—Legis. 4-06-2, dated 31st October 1906.

[c]—[c] Introduction by Notification No. J. 3399—Legis. 12-07-24, dated 16th March 1917.

[d]—]d] Substituted for the original by Notification No. J. 1404—Legis. 22-10, dated 8th November 1911.

These restrictions shall be in force for a period of five years from the date of this notification.

(*b*) License-holders shall not enter any forest without previously giving notice to the local forest official of their intention to shoot therein.

Note.—A bison, chital, sambhar, or barking deer once wounded counts towards the above limit whether brought to bag or not.

10D. The holder of the license granted either under Game Rules or Arms Regulation for the protection of crop and self-defence, shall not sit up over water or over salt-licks for the purpose of shooting any animal other than carnivora.

10E. The holder of a license shall camp only on such regular camping grounds in the forest as may have been set apart by forest authorities or in places specially pointed out to him by a forest officer. [c]

11. The power to arrest offenders under the circumstances referred to in Section 11 of the Regulation (*i.e.*, where the offence is committed in the view of the person making the arrest and the offender on demand refuses to give his name and address or gives a name and address which there is reason to believe is false), may be exercised by the following persons, namely:—

All Forest Officers including Forest guards, [c] Game Supervisors and Game watchers [c] all Police officers including constables; and all officers of the Revenue Department (including land revenue, excise, sayer, etc.,) of or above the rank of patel or shanbhog.

12. Any persons holding a license granted under these rules shall be bound to produce the same when called upon to do so by Magistrate or by any of the persons enumerated in the preceding rule, [c] and to deliver up the license at the end of the calendar year for which the license is granted, to the authority empowered to grant the license or to the nearest Forest or Police Officer of or above the rank of a Forest Ranger or a Police Inspector as the case may be. [c]

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[c] – [c] Introduced by Notification No. J. 3399—Legis. 12-07-24, dated 16th March 1917.

13. Any breach of the above rules will render the offender liable on conviction to the penalty provided in Section 8 of the Regulation, namely, fine not exceeding one hundred rupees.

FORM OF LICENSE.

LICENSE

For the pursuit of the game.

Permission is granted to.....to pursue game in the ....District during the calendar year ending the 31st December 19 , subject to the provisions of the Mysore Game and Fish Preservation Regulation, 1901, and of the rules thereunder (which are printed below for reference) and to all local rules in force under the authority of the Deputy Commissioner.

.....19 .

District Magistrate. *District Magistrate.*

(Counterfoil.) To be retained by the issuing officer. License for the pursuit game. Permission is granted to..... to purpose game in the .... .District during the calendar year ending the 31st December 19..... subject to the provisions of the Mysore Game and Fish preservation Regulation, 1901, and of the rules thereunder and to all local rules in force under the authority of the Deputy Commissioner.

(Here print the rules and continue, if necessary, on the reverse.)

NOTIFICATION.

No. J. 3400—Legis. 12-07-25, dated 16th March 1917.

The following rules for the grant of rewards to informants in cases of infringement of Game Laws are sanctioned by Government.

Rules for the grant of rewards to informers and others who may render service to Government by detecting or preventing breaches of Game Laws :—

(1) In any case in which a penalty or confiscation has been adjudged by competent authority under any law for the time being in force for the prevention of indiscriminate destruction of wild animals and birds and for the protection of game and fish in Mysore, the Conservator of Forests may grant, in such proportions as he thinks fit, to any person, or persons who may have contributed to the conviction of the offender or to the seizure of the property so confiscated, a reward not exceeding the sale proceeds or assessed value of the animal, bird or property confiscated plus the amount for which any other article confiscated may sell plus the amount of any fine imposed therein.

Provided always that the aggregate amount of the rewards thus granted in any one case, shall not exceed rupees fifty.

(2) In any case in which any person or persons may have been convicted of an offence against the Game Laws but in which no penalty or confiscation may have been imposed or realised or in which any person has performed any service of special merit in respect of the prevention or detection of any offence against the Game Laws, rewards may be granted to an aggregate amount of Rs. 25 (twenty-five).

(3) Conservator of Forests may incur at his discretion an expenditure not exceeding rupees fifteen in each case for information which may lead to the prevention or detection of any offence against the Game Laws.

(4) Proposals for the grant of rewards and the incurring of expenditure in excess of the sums above set forth, should be reported for sanction of Government.

(5) Recommendation rolls for payment of rewards should be submitted to the Conservator of Forests after final conviction of the offenders in the Appellate Court, if an appeal has been presented, or after the period allowed for presenting the appeal has elapsed. These papers should show what amount, if any, has been realised by fines and sales of confiscated property in the case.

(6) On receipt of the recommendation rolls the amount sanctioned by the Conservator of Forests will be drawn on abstract contingent bills and forwarded to the officer concerned.

Payments of rewards must be made personally by the Deputy Commissioners, Deputy Conservator of Forests or the District Forest Officers, as the case may be, and acknowledgments obtained from the payees and forwarded to the office of the Conservator of Forests.

(7) No delay should be permitted in the disbursement of rewards.

(8) Rewards in special cases may, with the previous sanction of Government, be made in any other form than a grant of money.

WD 2837—GPB - 600—27-8-17

THE MYSORE EXCISE REGULATION, 1901.

as amended by Reg IV of 1902 & Reg V of 1904 and Reg V of 190

Interpretation

3. In this Regulation, unless there be something repugnant in the subject or context—

"Excise revenue."

(1) "Excise revenue" means revenue derived or derivable from any duty, fee, tax, rent, fine or confiscation imposed or ordered under the provisions of this Regulation, or of any other law for the time being in force relating to liquor or intoxicating drugs.

"Excise officer."

(2) "Excise officer" means the Excise Commissioner, a Deputy Commissioner, or any officer or other person lawfully appointed or invested with powers under section 4 or 5.

"Excise Commissioner."

(3) "Excise Commissioner" means the officer appointed by the Government under section 4, clause (*a*).

"Deputy Commissioner."

(4) "Deputy Commissioner" means a Deputy Commissioner of a District, or any person appointed under section 4, clause (*b*), to exercise all the powers or to perform all the duties of a Deputy Commissioner under this Regulation.

"Excise Inspector."

(5) "Excise Inspector" means an officer appointed under section 4, clause (*d*).

"Imprisonment."

(6) "Imprisonment" means imprisonment of either description as defined in the Indian Penal Code.

"Toddy."

(7) "Toddy" means fermented or unfermented juice drawn from a cocoanut, palmyra, date, bagani (bastard sago) or any other kind of palm tree.

"Spirits."

(8) "Spirits" means any liquor containing alcohol and obtained by distillation.

"Liquor."

(9) "Liquor" includes spirits of wine, methylated spirits, spirits, wine, toddy, beer and all liquid consisting of or containing alcohol.

"Beer."

(10) "Beer" includes ale, stout, porter, and all other fermented liquors usually made from malt.

"Country liquor."

(11) "Country liquor" means liquor manufactured in Mysore or in any part of India, Batavia or Ceylon.

"Foreign liquor."

(12) "Foreign liquor" includes all liquor other than country liquor.

Provided that in any case in which doubt may arise the Government may declare by notification what for the purposes of this Regulation shall be deemed to be "country liquor" and what "foreign liquor."

"Intoxicating drug."

(13) "Intoxicating drug" includes ganja, bhang and every preparation and admixture of the same, and every intoxicating drink or substance prepared from any part of the hemp plant (*Cannabis Sativa* or *Indica*), from grain or from other material and not included in the term "liquor," but does not include opium or anything included within the meaning of that word as defined in the Indian Opium Act, 1878.*

"Sale" or "selling."

(14) "Sale" or "selling" includes any transfer otherwise than by way of gift.

"Import."

(15) "Import" means to bring into Mysore from any place beyond the limits of Mysore.

"Export."

(16) "Export" means to take out of Mysore to any place beyond the limits of Mysore.

h liquor or [redacted] eating drugs.
ty may be imposed.

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Section 4.

"Transport." (17) "Transport" means to move from one place to another within Mysore, whether the intervening area lie wholly within Mysore or not.

"Manufacture." (18) "Manufacture" includes every process, whether natural or artificial, by which any fermented, spirituous, or intoxicating liquor or intoxicating drug is produced or prepared, and also re-distillation and every process for the rectification of liquor.

"Rectification." (19) "Rectification" includes every process whereby spirits are purified or are colored or flavored by mixing any material therewith.

"Place." (20) "Place" includes also a house, building, shop, tent and vessel.

Power of Government to authorise officers to admit persons arrested to bail.

"5-A. The Government may, by notification, and subject to such conditions as may be prescribed in such notification, empower all or any of the officers or classes of officers or persons mentioned in section 34, either by name or in virtue of their office, throughout Mysore or in any local area, to admit a person arrested under that section to bail to appear, when summoned or otherwise directed, before an Excise Officer having jurisdiction to enquire into the offence for which such person has been arrested, and may cancel or vary such notification."

revenue; [illegible] to perform all or any of the duties of a Deputy Commissioner in respect of the Excise revenue, either concurrently with or in exclusion of the Deputy Commissioner of a District, subject to such control as the Government may from time to time direct;

may withdraw excise powers from Deputy Commissioners of Districts; (*c*) withdraw from the Deputy Commissioner of a District any or all of his powers in respect of the Excise revenue;

may appoint officers to take action under sections 40 to 53; (*d*) appoint officers to perform the acts and duties mentioned in sections 40 to 53 inclusive of this Regulation;

may appoint subordinate officers; (*e*) appoint subordinate officers of such classes and with such designations, powers, and duties under this Regulation as the Government may think fit;

may appoint any officer or other person to act as above; (*f*) order that all or any of the powers and duties assigned to any officers under clauses (*d*) and (*e*) of this section shall be exercised and performed by any officer or any person;

(*i*) for the management of any public distillery or public warehouse established under section 14;

(*j*) for regulating the cultivation of the hemp plant (*Cannabis Sativa* or *Indica*);

(*k*) for placing the preparation of intoxicating drugs and the storage, import, export, possession or transport of liquor or intoxicating drugs under such supervision and control as may be deemed necessary for the purposes of this Regulation;

(*l*) prohibiting the use of any article which the Government shall deem to be noxious or otherwise objectionable in the manufacture of liquor or of any intoxicating drugs;

(*m*) for the grant of batta to witnesses, and of compensation for loss of time to persons released by any Excise officer under section 40 (3) of this Regulation on the ground that they have been improperly arrested, and to persons charged before a Magistrate with offences under this Regulation and acquitted;

(*n*) regulating the power of Excise officers to summon witnesses from a distance under section 44;

(*o*) for the disposal of articles confiscated and of the proceeds thereof;

(*p*) generally, to carry out the provisions of this Regulation or of any other law for the time being in force and relating to the Excise revenue.

VIII.—Powers and Duties of Officers, etc.

Magistrate may issue search warrant on application

30. If any Magistrate upon information given by any Excise or Police officer or any other person, and after such inquiry as he thinks necessary, has reason to believe that an offence under section 55 or section 57 or section 58 of this Regulation has been committed, he may issue a warrant for the search for any liquor, intoxicating drug, materials, still, utensil, implement or apparatus in respect of which the alleged offence has been committed.

Before issuing such warrant, the Magistrate shall examine the informant on oath or affirmation, and the examination shall be reduced into writing in a summary manner and be signed by the informant, and also by the Magistrate.

Power to certain Excise and Police officers to search houses, etc., without warrant.

31. Whenever the Excise Commissioner, or a Deputy Commissioner, or any Excise or Police officer not below the rank of Inspector or a Police Station officer, has reason to believe that an offence under section 55 or section 57 or section 58 of this

Procedure by Police Station officer.

(2) On any such person being brought to a Police Station as aforesaid, the officer in charge thereof shall either admit him to bail to appear when summoned before the Excise officer as aforesaid within the limits of whose jurisdiction the offence with which he is charged is suspected to have been committed, or, in default of bail, shall forward him in custody to such officer.

Procedure by Excise officer empowered to inquire.

(3) On any such person being brought in custody before such Excise officer as aforesaid or appearing before him on bail, such officer shall hold such inquiry as he may think necessary and shall either release such person, or forward him in custody to, or admit him to bail to appear before the Magistrate having jurisdiction to try the case.

Persons arrested to be admitted to bail.

41. It shall be the duty of any officer arresting any person under the powers given by section 31 of this Regulation and of any Police station officer or Excise officer before whom a person arrested is brought or appears under the provisions of section 40, to release such person on bail if sufficient bail be tendered for his appearance before an Excise Inspector or before a Magistrate as the case may be.

Bond of accused and sureties.

42. Before any person is released on bail, a bond in such sufficient but not excessive sum of money as the officer admitting him to bail thinks proper shall be executed by such person and by one or more sureties, conditioned that such person shall attend in accordance with the terms of the bond and shall continue to attend until otherwise directed by the Excise Inspector before whom he was bailed to attend, or by the Magistrate, as the case may be.

Provided that the officer admitting any such person to bail may at his discretion dispense with the requirement of a surety or sureties to the bond executed by such person.

The Government shall from time to time determine the form of the bond to be used in any local area.

Procedure in case of default of person admitted to bail to appear before Excise Inspector.

~~**43.** When by reason of default of appearance of a person bailed to appear before an Excise Inspector, such officer is of opinion that proceedings should be had to compel payment of the penalty or penalties mentioned in the bond of the person bailed or of the surety or sureties, he shall forward the bond to the Magistrate having jurisdiction to try the offence of which the person bailed was accused, and the Magistrate shall proceed to compel payment of the penalty or penalties in the manner provided by the Code of Criminal Procedure for the recovery of penalties in the like case of default of appearance by a person bailed to appear before his own Court.~~

Regulation has been committed and that the delay occasioned by obtaining a search warrant under the preceding section will prevent the execution thereof, he may, after recording his reasons and the grounds of his belief, at any time by day or night enter and search any place and may seize anything found therein which he has reason to believe to be liable to confiscation under this Regulation; and may detain and search and, if he think proper, arrest any person found in such place whom he has reason to believe to be guilty of any offence under this Regulation.

Provided that every person arrested under this section shall be admitted to bail by such officer as aforesaid if sufficient bail be tendered for his appearance either before a Magistrate or before an Excise Inspector as the case may be.

Power to enter and inspect places of manufacture and sale.

32. The Excise Commissioner, or a Deputy Commissioner or any Excise officer not below the rank of Sub-Inspector, or any Police officer duly empowered in that behalf, may enter and inspect, at any time by day or by night, any place in which any licensed manufacturer carries on the manufacture of any liquor or intoxicating drug, or draws toddy, or stores any liquor or intoxicating drug or toddy; and may enter and inspect, at any time during which the same may be open, any place in which any liquor or intoxicating drug is kept for sale by any licensed person; and may examine, test, measure or weigh any materials, stills, utensils, implements, apparatus, liquor, or intoxicating drugs found in such place.

In case of resistance, entry may be made by force, &c.

33. If any officer empowered to make an entry under the provisions of the last two preceding sections cannot otherwise make such entry, it shall be lawful for him to break open any outer or inner door or window and to remove any other obstacle to his entry into any such place.

Offenders may be arrested, and contraband liquor and articles seized, without warrant.

34. Any officer of the Excise, Police, Forest, Land Revenue Sayer or Octori Departments, and any other person duly empowered, may arrest without warrant in any public thoroughfare or open place other than a dwelling house any person found committing an offence punishable under section 55 or section 57 or section 58 of this Regulation; and in any such thoroughfare or place may seize and detain any liquor, drug or other article which he has reason to believe to be liable to confiscation under this Regulation or any other such law; and may search any person, vessel, vehicle, animal, package, receptacle or covering, upon whom, or in or upon which, he may have reasonable cause to suspect any such liquor, drug or other such article to be, or to be concealed.

Procedure in case of person arresting not being empowered under section 5-A.

"Provided that if the officer or person making the arrest under this section be not empowered under section 5-A to admit to bail, the person arrested shall be forthwith forwarded to an officer so empowered if there be such an officer within a distance of five miles from the place where such arrest took place."

"And it shall be the duty of such officer empowered as aforesaid to admit such person to bail if sufficient bail be tendered for his appearance before an Excise Officer having jurisdiction to enquire into the case."

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35. Any preson, who may be accused or reasonably suspected of committing an offence under this Regulation, and who on demand of any officer of the Excise, Police, Forest, Land Revenue, Sayer or Octroi Departments or of any other person duly empowered, refuses to give his name and residence, or who gives a name or residence which such officer or person has reason to believe to be false, may be arrested by such officer or person in order that his name and residence may be ascertained.

Arrest of persons refusing to give name or giving false name.

36. All searches under the provisions of this Regulation shall be made in accordance with the provisions of the Code of Criminal Procedure.

Searches how to be made.

37. All officers of the Departments of Police, Forest, Land Revenue, Sayer and Octroi shall be legally bound to assist any Excise officer in carrying out the provisions of this Regulation.

Officers of certain Departments bound to assist.

38. Every officer employed by the Government, other than an Excise officer, shall be bound to give immediate information to an Excise officer, and every Excise officer shall be bound to give immediate information either to his immediate official superior or to an Excise Inspector, of all breaches of any of the provisions of this Regulation which may come to his knowledge ; and all such officers shall be bound to take all reasonable measures in their power to prevent the commission of any such breaches which they may know or have reason to believe are about or likely to be committed.

Offences to be reported etc.

39. All inamdars, kayamguttadars, proprietors, tenants, under-tenants and cultivators who own or hold land on which there shall be any manufacture of liquor or intoxicating drugs not licensed under this Regulation shall, in the absence of reasonable excuse, be bound to give notice of the same to a Magistrate or to an officer of the Excise, Police, Forest, Land Revenue, Sayer or Octroi Department immediately the same shall have come to their knowledge.

Landholders and others to give information.

40. (1) When any person is arrested under the provisions of section 31 or section 34 or section 35 of this Regulation, the person arresting him shall, unless bail shall have been accepted under the provisions of section 31 or of Section 34 forthwith forward him to an Excise Inspector, or, if there be no such officer within a distance of ten miles from the place at which such arrest took place, to the nearest Police station, with a report of the circumstances under which such arrest was made.

Persons arrested how to be dealt with.

signed by such officer.

47. It shall be lawful for an Excise Inspector, instead of summoning to appear before him any person who, from sickness or other infirmity, may be unable so to do, or whom by reason of rank or sex it may not be proper to summon, to proceed to the residence of such person and there to require him to answer such questions as he may consider necessary with respect to such inquiry; and such person shall be bound so to answer accordingly, and the provisions of section 46 shall apply to such answers.

When attendance of witnesses to be dispensed with, and procedure in such cases.

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48. Any Excise Inspector may, after recording his reasons in writing, summon any person to appear before him whom he has good reason to suspect of having committed an offence under this Regulation. On such person appearing before such officer, the procedure prescribed by sections 40 to 47 inclusive of the Regulation shall become applicable.

Excise Inspector may summon persons suspected of offences against Excise laws.

49. The law for the time being in force as to summonses and compelling the attendance of persons summoned in Criminal Courts shall, so far as the same may be applicable, apply to any summons issued by an Excise Inspector and to any person summoned by him to appear under the provisions of this Regulation.

Law relating to Criminal Courts as to summoning of witnesses to apply.

50. When an Excise Inspector forwards in custody any person accused of an offence under this Regulation to the Magistrate having jurisdiction to try the case, or admits any such person to bail to appear before such Magistrate, such officer shall also forward to such Magistrate a report setting forth the name of the accused person and the nature of the offence with which he is

Report of Excise Inspector gives jurisdiction to competent Magistrate.

Accused not to be detained in custody for longer period than twenty-four hours without special authority.

52. No person accused or suspected of having committed an offence under this Regulation shall be detained for a longer period than under all the circumstances of the case is reasonable; and such period shall not, in the absence of the special order of a Magistrate, whether having jurisdiction to try the case or not exceed twenty-four hours, exclusive of the time necessary for the journey of such person to the place where an Excise Inspector may be, and from thence to the Court having jurisdiction to try the case.

Police to take charge of articles seized.

53. All officers in charge of Police stations shall take charge of and keep in safe custody pending the orders of a Magistrate or of an Excise Inspector all articles seized under this Regulation which may be delivered to them; and shall allow any Excise officer who may accompany such articles to the Police station, or who may be deputed for the purpose by his superior officer, to affix his seal to such articles and to take samples of and from them. All samples so taken shall also be sealed with the seal of the officer in charge of the Police station.

Closing of shop for the sake of public peace.

54. It shall be lawful for the Magistrate of the district by notice in writing to the licensee to require that any shop in which liquor or any intoxicating drug is sold shall be closed at such times or for such period as he may think necessary for the preservation of the public peace.

If a riot or unlawful assembly is apprehended or occurs in the vicinity of any such shop, it shall be lawful for any Magistrate, or for any Police officer who is present, to require such shop to be kept closed for such period as may be necessary.

IX.—PENALTIES.

55. Whoever, in contravention of this Regulation, or of any rule or order made under this Regulation, or of any license or permit obtained under this Regulation— For illegal import, etc.

(*a*) imports, exports, transports or possesses liquor or any intoxicating drug; or

(*b*) manufactures liquor or any intoxicating drug; or

(*c*) cultivates, or fails to take the measures prescribed for checking the spontaneous or for the extirpation of, the hemp plant (*cannabis sativa* or *Indica*)."

(*d*) taps any toddy-producing tree; or

(*e*) draws toddy from any tree; or

(*f*) constructs or works any distillery or brewery; or

(*g*) uses, keeps, or has in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing liquor other than toddy or any intoxicating drug; or

(*h*) sells liquor or any intoxicating drug;

shall, on conviction before a Magistrate, be punished for each such offence with fine which may extend to one thousand rupees, or with imprisonment for a term which may extend to six months, or with both.

Provided that where the offence relates to the import or manufacture of liquor or any intoxicating drug, the fine, if any, inflicted shall not be less than double the amount of duty leviable on such liquor or intoxicating drug.

56. Whoever, being the holder of a license or permit granted under this Regulation— For misconduct by licensee etc.

(*a*) fails to produce such license or permit on the demand of any Excise officer or of any other officer duly empowered to make such demand; or

(*b*) does any act in breach of any of the conditions of his license or permit not otherwise provided for in this Regulation; or

(*c*) wilfully contravenes any rule made under section 29 of this Regulation; or

(*d*) permits drunkenness, riot or gaming in any place in which any liquor or intoxicating drug is sold or manufactured; or

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(*b*) does any act in breach of any of the conditions of his license or permit not otherwise provided for in this Regulation; or

(*c*) wilfully contravenes any rule made under section 29 of this Regulation; or

(*d*) permits drunkenness, riot or gaming in any place in which any liquor or intoxicating drug is sold or manufactured; or

(*e*) permits persons of notoriously bad character to meet or remain in any such place;

shall, on conviction before a Magistrate, be punished for each such offence with fine which may extend to two hundred rupees, or with imprisonment which may extend to three months, or with both.

For adulteration, &c., by licensed vendor or manufacturer.

57. Whoever, being the holder of a license for the sale or manufacture of liquor or of any intoxicating drug under this Regulation :—

(*a*) mixes or permits to be mixed with the liquor or intoxicating drug sold or manufactured by him any noxious drug or any foreign ingredient likely to add to its actual or apparent intoxicating quality or strength, or any article prohibited by any rule made under section 29, clause (*k*), when such admixture shall not amount to the offence of adulteration under section 272 of the Indian Penal Code; or

(*b*) sells or keeps or exposes for sale as foreign liquor, liquor which he knows or has reason to believe to be country liquor; or

(*c*) marks the cork of any bottle or any bottle, case, package or other receptacle containing country liquor, or uses any bottle, case, package or other receptacle containing country liquor, with any mark thereon or on the cork thereof with the intention of causing it to be believed that such bottle, case, package or other receptacle contains foreign liquor, when such act shall not amount to the offence of using a false trade-mark with intent to deceive or injure any person under section 482 of the Indian Penal Code; or

(*d*) sells or keeps or exposes for sale any country liquor in a bottle, case, package or other receptacle with any mark thereon or on the cork thereof with the intention of causing it to be believed that such bottle, case, package or other receptacle contains foreign liquor, when such act shall not amount to the offence of selling goods marked with a counterfeit trade-mark under section 486 of the Indian Penal Code;

shall, on conviction before a Magistrate, be punished for each such offence with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

For possession of illicit liquor or drug.

58. Whoever without lawful authority has in his possession any quantity of liquor or of any intoxicating drug knowing the same to have been unlawfully imported, transported or manufac-

tured, or knowing the prescribed duty not to have been paid therefor, shall, on conviction before a Magistrate, be punished with fine which may extend to one thousand rupees, or with imprisonment for a term which may extend to six months, or with both.

Provided that the fine, if any, inflicted shall not be less than double the amount of duty leviable on such liquor or drug.

For vexatious search or arrest.

59. Any Excise officer or other person who, without reasonable ground of suspicion, enters or searches, or causes to be searched, any closed place;

or vexatiously and unnecessarily seizes the property of any person on the pretence of seizing or searching for anything liable to confiscation under this Regulation;

or vexatiously and unnecessarily detains, searches, or arrests any person;

or in any other way vexatiously exceeds his lawful powers;

shall, on conviction before a Magistrate, be punished for each such offence with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to six months, or with both.

For vexatious delay.

60. Any officer or person exercising powers under this Regulation who vexatiously and unnecessarily delays forwarding to an Excise Inspector or to the officer in charge of the nearest Police station, as required by section 40 of this Regulation, any person arrested, or any articles seized under this Regulation, shall, on conviction before a Magistrate, be punished with fine which may extend to two hundred rupees.

For abetment of escape of persons arrested, &c.

61. Any officer or person who unlawfully releases or abets the escape of any person arrested under this Regulation or abets the commission of any offence against this Regulation, or acts in any manner inconsistent with his duty for the purpose of enabling any person to do anything whereby any of the provisions of this Regulation may be evaded or broken, or the Excise revenue may be defrauded;

and any officer of any other Department referred to in section 37, who abets the commission of any offence against this Regulation in any place,

shall, on conviction before a Magistrate for every such offence, be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to six months, or with both.

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For Excise officer refusing to do duty, using violence or being guilty of cowardice.

62. Any Excise officer who without lawful excuse shall cease or refuse to perform, or shall withdraw himself from the duties of his office, unless expressly allowed to do so in writing by the Excise Commissioner, or unless he shall have given to his superior officer two months' notice in writing of his intention to do so; or

who shall offer any unwarrantable violence to any person in his custody; or

who shall be guilty of cowardice,

shall, on conviction before a Magistrate, be punished with fine which may extend to six months' pay or with imprisonment which may extend to three months, or with both.

For offences not otherwise provided for.

63. Whoever is guilty of any act or intentional omission in contravention of any of the provisions of this Regulation, or of any rule or order made under this Regulation, and not otherwise provided for in this Regulation, shall, on conviction before a Magistrate, be punished for each such act or omission with fine which may extend to two hundred rupees.

Presumption as to commission of offence in certain cases.

64. In prosecutions under section 55 it shall be presumed until the contrary is proved, that the accused person has committed an offence under that section in respect of any liquor or intoxicating drug, or any still, utensil, implement, or apparatus whatsoever for the manufacture of liquor other than toddy or of any intoxicating drug, or any such materials as are ordinarily used in the manufacture of liquor or of any intoxicating drug, for the possession of which he is unable to account satisfactorily;

"or, as the case may be, in respect of any hemp plant found growing upon land in his possession or under his charge, and for the existence of which thereon he is unable to account satisfactorily."

and the holder of a license or permit under this Regulation shall be punishable, as well as the actual offender, for any offence committed by any person in his employ and acting on his behalf under section 55 or section 56 or section 57 or section 58, as if he had himself committed the same, unless he shall establish that all due and reasonable precautions were exercised by him to prevent the commission of such offence.

Provided that no person other than the actual offender shall be punished with imprisonment except in default of payment of fine.

Exception of medicated articles.

71. Nothing in the foregoing provisions of this Regulation applies to the manufacture, possession, sale or supply of any *bona fide* medicated article for medicinal purposes by medical practitioners, chemists, druggists, apothecaries or keepers of dispensaries; but it shall be lawful for the Government at any time by notification to prohibit the sale of any such article within any defined local area except under a license from the Deputy Commissioner, which shall be granted on payment of such fees and subject to such conditions as the Government may deem fit to prescribe.

Notification No.536--Ex.F.6-1901, dated Bangalore, 3rd June 1902.

Ganja rules

Under Section 29 of the Excise Regulation, V of 1901, and in exercise of all other powers enabling them in this behalf, the Government of Mysore are pleased to frame the following rules in supersession of all existing rules relating to the cultivation of ganja hemp and manufacture, sale, etc., of ganja :--

1. For the purpose of these rules the hemp plant shall be taken to be that generally known as the Cannabis Sativa of Linn or India and what is termed in Hindustani Ganja, in Kanarese Bhanji Soppu, in Tamil Ganja-yele, and in Telugu Bhanji-aku. But as they are several varieties of the Indian hemp, each and every such variety shall be taken to be included in, and as falling under these rules. Ganja includes any preparation of it, except halva. (The description of ganja and its preparations is given in Appendix A.).

8. (No person who has not obtained a license as prescribed in Rules 3 and 4 shall either cultivate ganja hemp or allow the same to grow in any land in his possession or under his charge; and it shall be the duty of every such person to cause all ganja hemp plants growing on such lands whether spontaneously or otherwise to be uprooted as soon as he is, or has reason to be aware of their existence on such land. Any person contravening this rule is liable to prosecution under Section 55 of the Mysore Excise Regulation).

9. The village officials shall be primarily responsible that no clandestine cultivation of ganja is carried on in their respective villages. When such cultivation is discovered, they shall give immediate information thereof to the Excise Officers for necessary action.

10. The village officials and Excise and Police Officers shall destroy the ganja hemp plants of spontaneous growth in Government unoccupie

lands.

11. No cultivator of ganja will be permitted to export the drug.

24. No ganja will be permitted to be imported except in special cases and under such restrictions as may be ordered by Government.

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(16)

REGULATION No. III OF 1902.

(PASSED ON THE 8TH DAY OF JULY 1902.)

The Mysore Weights and Measures Regulation, 1902.

Whereas it is expedient to regulate the use of Weights and Measures of Capacity in Mysore; Her Highness the Maharani-Regent is pleased to enact as follows:— Preamble.

1. This Regulation may be called the "Mysore Weights and Measures Regulation, 1902;" it extends to the whole of Mysore; and it shall come into force at once. Title, extent and operation.

2. (1) The Government may from time to time, by notification in the official Gazette, prescribe, either generally for Mysore or for any specified district or portion of a district, the standards of weight and measure of capacity that shall be followed therein. Standards of weight and measure to be fixed by Government.

(2) It may also, in like manner, make rules to regulate— Power to make rules.

(*a*) the shapes, dimensions and designations of all or any of the weights and measures of capacity that may be permitted to be used, and the materials of which the same shall be made;

(*b*) the method of testing weights and measures of capacity, and of certifying to their correctness by means of stamping or otherwise; and

(*c*) generally, any other matters connected with the carrying out of the purposes of this Regulation.

3. Copies of the standards of weight and measure of capacity, declared by the Government to be correct, shall be kept in the office of the Inspector-General of Police, in the offices of the Deputy Commissioners of Districts, and in such other offices as may from time to time be prescribed by the Government, and shall at all reasonable times be available for public inspection. Copies of standards to be kept in certain offices.

4. Any weight or measure of capacity, which is not in accordance with a copy of the standard of weight or measure of capacity kept under Section 3, shall be deemed to be a false weight or measure of capacity within the meaning of Chapter XIII of the Indian Penal Code. What are false weights and measures.

P. N. KRISHNAMURTI,

Dewan of Mysore.

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NOTIFICATION.

No. J. 864—*Legis.* 16-09-37, *dated Bangalore,* 11*th September* 1911. as amended in 1917

Rules under the Mysore Weights and Measures Regulation, III of 1902.

Preamble.—In exercise of the powers conferred by Regulation III of 1902, the Government of His Highness the Maharaja of Mysore are pleased to prescribe the following rules for regulating the use of weights and measures of capacity in all parts of the State from and after the 1st day of July 1912.

Nothing in these rules is intended to have application to, or to interfere with, the use of the British or the metric system of weights and measures, or any other recognized system not based on a weight or measure called the "seer" or any sub-division or multiple thereof, as a unit.

Rule 1.—(1) The standard of weight shall be the "seer" weight, which is a mass of metal in the possession of Government equal to the weight of 24 rupees (of 180 grains Troy each) of the British Indian currency.

(2) The standard of measure of capacity shall be the "seer" measure, which is a hollow bronze cylinder in the possession of Government, capable, when filled to the brim, of holding just 108 tolas (of 180 grains Troy each) weight of distilled water at its maximum density and under the normal atmospheric pressure.

Rule 2.—(1) The standard seer weight and seer measure aforementioned shall be carefully secured in the State Huzur Treasury in the personal custody of the Officer in charge of the Treasury.

(2) A duplicate copy of the standard seer weight and a duplicate copy of the standard seer measure shall be kept ~~in the Bangalore Central Jail in the personal custody of the Superintendent of the Jail~~ in the Commissioner in Mysore; and the same shall be compared and, if necessary, corrected not less often than once in five years with the standards preserved in the State Huzur Treasury.

The ~~Superintendent~~ Revenue Commissioner shall keep a register in which the fact of such comparison and correction shall be entered and certified to by him and the Officer in charge of the State Huzur Treasury.

Rule 3.—The use of the following weights and measures of capacity is hereby recognized:—

(*A*) *Weights*—

Tola (=180 grains, Troy), equal to one twenty-fourth of a seer as defined in Rule 1 (1).
- Half-tola; quarter-tola; and smaller sub-divisions of a tola.
- Multiples of a tola to be described as so many tolas.

Seer, equal to the standard seer weight as defined in Rule 1 (1).
- Half-seer (*Achcheru*), equal to 12 tolas.
- Quarter-seer (*Pavu*), equal to 6 tolas.
- One-eighth seer (*Arapavu*), equal to 3 tolas.

Maund (*Mana*), equal to 40 seers.
- Lower multiples of a seer, to be described as so many seers (with or without fractional parts), or as such fraction of a maund; *e.g.*, 5 seers (*Pancheru*); 10 seers (*Dhadiah*); ½ maund; ¼ maund, etc.
- Multiples of a maund, to be described as so many maunds (with or without fractional parts); *e.g.*, 2 maunds; 2½ maunds, etc.

Bengal seer (*Bengal seru*), equal to 80 tolas.

Bengal maund (*Bengal mana*), equal to 40 Bengal seers of 80 tolas each.
- Multiples of the Bengal seer and Bengal maund, to be described as so many Bengal seers or Bengal maunds.

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Pound (*Avoirdupois*) *lb.* equal to 7,000 grains Troy [108 pounds = 175 seers as defined in Rule 1 (1)].

Half-pound; quarter-pound; and smaller sub-divisions of a pound.

Multiples of a pound to be described as so many pounds with or without fractional parts.

A *stone* equal to 14 lbs. A *quarter* equal to 28 lbs. A *cwt.* equal to 112 lbs. And a *ton* equal to 2,240 lbs. or 20 cwts.

(*B*) *Measures*—

Seer, equal to the standard seer measure as defined in Rule 1 (2).

Sub-division of a seer, as follows :—

Half-seer (*Achcheru*); quarter-seer (*Pavu*); one-eighth seer (*Arapavu*); one-sixteenth seer (*Chataku*).

Balla, equal to 4 seers.

Kolaga, equal to 8 seers.

Lower multiples of a seer, to be described as so many seers (with or without fractional parts), or such fraction of a kolaga.

Palla, equal to 100 seers.

Khandi, equal to 20 kolagas or 160 seers.

Lower multiples of a kolaga to be described as so many kolagas [illegible] arts), or such fraction of a palla

Rule "4 (1) The Revenue Commis[illegible] ar[illegible] at[illegible] m[illegible] Central Jail shall manufacture [illegible]ures which, after being care-[illegible]tion, shall be available for sale [illegible]e cost of manufacture.

(2) The v[illegible] als[illegible] an[illegible] [illegible]ght and measure, and also of the more common [illegible] measures, shall be supplied by the ~~Superintendent of the Cel[illegible], Bangalore~~ the Revenue Commissioner, to the offices mentioned in Section 3 of the Regulation, as well as to every Amildar's Office and Police Station. These shall be verified not less often than once in ten years by the Superintendent of the Central Jail, and shall be replaced whenever necessary.

Rule 6.—In the absence of usage or an express or implied understanding to the contrary, it will be assumed that in measuring an article by any of the recognized measures of capacity, the measure is not heaped, but either is stricken with a round stick or roller, straight and of the same diameter from end to end, or, if the article sold cannot from its size or shape be conveniently stricken, is filled in all parts as nearly to the level of the brim as the size and shape of the article will admit.

Rule 7.—Weights and measures of capacity shall be made of metal: provided that measures below a seer in capacity may be made either of metal or of wood ~~or of bamboo.~~

Rule 8.—The shape of weights, except where handles or depressions for lifting occur, shall, as far as possible, be such that both the upper and under surfaces shall be flat and the horizontal sections circular or rectangular.

Measures shall be hollow cylinders, with as nearly as possible a plane base, and internal diameter equal to ~~not less than two-fifths and not more than three fifths~~ 51 of the depth.

Rule 9.—Every weight, except where the small size of the weight renders it impracticable, shall have the denomination of such weight stamped on the top or side thereof in legible figures and letters.

Every measure of capacity shall have the denomination thereof stamped on the outside of such measure in legible figures and letters.

A weight or measure not in conformity with this rule shall not be stamped with a stamp of verification under these rules.

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ule 10.—Every weight, except where the small size of the weight renders it ticable, and every measure of capacity, ~~manufactured in the Bangalore l Jail or presented for verification thereat or at such other place as the Gov- nt may appoint for this purpose,~~ shall be verified and stamped with a stamp fication in the form given below.

the officers appointed for testing and stamping weights and measures

Form of stamp.—The form of the stamp shall be as in the margin, the figures denoting the year of stamping.

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ule 11.—Subject to any directions that may be given by Government, a Deputy issioner may empower one or more officers in his district to act as Inspectors ghts and measures, whose duty will be to inspect weights and measures and ing instruments in use. For this purpose and for the purpose of Section 153* Code of Criminal Procedure, they shall be deemed, in regard to the whole local area under their jurisdiction, to have been appointed officers in charge olice Station.

Rule 12.—(1) Any person having in his possession any weights and measures ~~anufactured by Government, may apply to the Superintendent of the Bangalore al Jail or to such other officer as may be appointed by Government for this~~ se for the verification and stamping of such weights and measures. Any it or measure once verified may be verified again on application.

may, ability to the officers appointed for testing and stamping weights and measures

~~(2) Every such application shall be stamped with a Court fee of the value e anna for each weight or measure to~~ be dealt with.

Rule 13.—(1) The officer making the verification under the previous rule will, out any extra charge, make any slight adjustment that may be found necessary ake the weights and measures perfectly accurate.

(2) He is also empowered to deface, or render incapable of use, or refuse to y, correct or stamp, any weight or measure brought to him for verification or ction, which appears to him unfit for verification or correction.

"A fee of half an anna on every weight or measure shall be recovered from the person producing it and shall be credited to Government Treasury under a distinct head of account."

"Such officers shall be appointed for any local area in a district by the Deputy Commissioner of the district and in the cities of Mysore or Bangalore by the Presidents of the City Municipal Councils in those cities."

APPENDIX.

HINTS FOR TESTING WEIGHTS AND MEASURES.

I. Testing of weights.—

Sensibility of balance.—When weights have to be verified by standard weights and only common scales or balances are available, the first thing to be done is to try the balance as to its degree of sensibility, apart from the question of equilibrium. Suppose a maund weight of 40 seers is received for verification. Put a standard maund weight in a right-hand scale and exactly counterbalance it by weights in the left. If 40 grains weight will make a difference when placed in either scale, the balance may be considered good enough for the verification of a common maund weight of commerce. If a balance does not turn with $\frac{1}{500}$ part of the weight that may be in one scale, it cannot be used for very accurate purposes.

Verification of weights.—The maund weight received for verification should be examined thus:—

Place the standard maund weight in the right-hand scale and exactly counterbalance it; then take it out and put in its place the weight to be verified. If the beam shows an equipoise, the weight is correct. It is of no consequence whether the arms of the beam are equal or not, or in other words, whether the scales used for this test are or are not correct.

Inspection of weights and measures.

**Section 153 of the Code of Criminal Procedure.*—(1) Any officer in charge of a Police Station may, without a warrant, enter any place within the limits of such station for the purpose of inspecting or searching for any weights or measures or instruments for weighing, used or kept therein, whenever he has reason to believe that there are in such place any weights, measures or instruments for weighing which are false.

(2) If he finds in such place any weights, measures or instruments for weighing which are false, he may seize the same, and shall forthwith give information of such seizure to a magistrate having jurisdiction.

Correctness of balance.—To ascertain if the balance is correct, put a standard maund weight into the right-hand scale and exactly counterbalance it with stones, sand or any other material in the left-hand scale. Then take it out and put in other weights into the right-hand scale and produce exact equipoise. It is now evident that the two weights weighed in the right-hand scale are equal to one another: remove the weight from the left-hand scale and put therein the weight taken from the right-hand scale, and if the beam shows a true equipoise, the balance is correct; if not, the beam or the scales can only be adjusted by a competent workman. This applies to all beam balances.

II. Testing of grain and liquid measures.—

Diameter of grain measures.—When a grain measure is received for being stamped, the first thing to be done is to measure the diameter carefully. If the diameter of the measure is exactly the same as that of the standard measure, the measure may be accepted for testing. If not, the measure should be rejected.

NOTE.—If a measure is not quite round, a mean between the longest and shortest diameters should be taken.

Method of test employed.—The only system of test to be employed in testing measures is that by volume of water, for the proper performance of which the officer is provided with either a specifically constructed set of standardized testing vessels or with two test glasses, a twenty-ounce glass equivalent to a quart and a five-ounce glass graduated to quarters of an ounce.

Preliminaries to testing.—The following preliminaries must be attended to before the actual process of testing can be commenced. The best drinking water available should be obtained, as it is the clearest. The measure to be tested should be well washed out, and if it is of wood or bamboo, water should be allowed to stand in it for a quarter of an hour before testing, so as to guard against absorption during the testing, whereby the result would be falsified. If the measure is found to be leaky, the leaks should be caulked on the outside only with pitch or sealing-wax.

Process of testing.—The test should then be applied in the following manner:—The rim of the measure should be moistened, as otherwise water may stand without spilling quite a sixteenth of an inch above it; and in a measure of five inches diameter this will represent 1·39 tolas of rice. The measure should then be filled with water. This is done by pouring water into it from the test glass, either the large twenty-ounce glass or the small five-ounce one, or both being used according to the size of the measure under examination. In pouring water from the test glass into the measure, care should be taken to prevent the water from overtopping the rim of the measure. The surface of the water must be exactly level with the rim. It can be easily ascertained how many ounces of water have been used to fill the measure. The quantity of water, if any, found to have been spilt should be deducted from the total quantity poured out from the test glass. If it be found impossible to staunch a leaky measure, reliable results may be obtained by catching the water which escapes by leakage, measuring it, and deducting the quantity from that poured into the measure from the test glass. The remainder represents the exact capacity of the measure in ounces of water. If this is equal to the proper capacity of the measure, calculated at 44·5 fluid ounces for the standard seer measure, the measure may be taken to be correct and stamped accordingly; otherwise it should be rejected. The "correct copies" of measures themselves should on no account be used in the application of the test, as it is almost impossible to pour out the liquid from such measures filled to the brim without spilling. If, however, special vessels of standard capacities are made with a narrow neck and broad lip for pouring, similar in shape to the gallon pot used in the Excise Department, and standardized to fluid ounces, there is no objection to such measures being used for the purpose of testing. The use of ounce glasses will then be only required in the primary test of capacity of such special measures.

By Order,

C. S. BALASUNDARAM IYER,
Officiating Secretary to Government,
General and Revenue Departments.

Regulation No. I of 1903.

A regulation for the Registration of Documents in Mysore.

Documents in language not understood by registering officer.

19. If any document duly presented for registration be in a language which the registering officer does not understand, and which is not commonly used in the District, he shall refuse to register the document, unless it be accompanied by a true translation into a language commonly used in the District and also by a true copy.

Description of parcels.

21. (a) No non-testamentry document relating to immovable property shall be accepted for registration unless it contains a description of such property sufficient to identify the same.

(b) Houses in towns shall be described as situate on the north or the other side of the street or road (mentioning it) to which they front, and by their existing and former occupancies, and by their numbers if the houses in such street or road are numbered. Other houses and lands shall be described by their name, if any, and as being in the territorial division in which they are situate, and by their superficial contents, the roads and other properties on which they ~~abut~~ abut and their existing occupancies, and also, whenever it it is practicable, by reference to a Government map or Survey.

Documents containing maps or plans.

(c) No non-testamentary document containing a map or plan of any property comprised therein shall be accepted for registration unless it be accompanied by a true copy of the map or plan. or, in case such property is situate in several Districts, by such number of true copies of the map or plan as

are equal to the number of such districts.

Penalty for incorrectly endorsing, copying, translating or registering documents which intent to injure.

81. Every registering officer appointed under this Regulation and every person employed in his office for the purposes of this Regulation, who, being charged with the endorsing, copying, translating or registering of any document presented or deposited under its provisions, endorses, copies, translates or registers such document in a manner which he knows or believes to be incorrect, intending thereby to cause, or knowing it to be likely that he may thereby cause injury, as defined in the Indian Penal Code, to any person shall be punished with imprisonment for a term which may ~~be~~ extend to seven years, or with fine, or with both.

Penalty for certain other offences.

82. Whoever commits any of the following offences shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

Making false statements before registering officer.

(a) intentionally makes any false statement, whether on oath or not, and whether it has been recorded or not, before any officer acting in execution of this Regulation, in any proceeding or inqury under this regulation.

Delivering false copy of translation.

(b) intentionally delivers to a registering officer in any proceeding under section 19 or section 21, a false copy or translation of a document, or a false copy of a map or plan;

False presentation.

(c) falsely personates another, and in such assumed character presents any document, or makes any admission or statement, or causes any summons or commission to be issued, or does any other act in any proceeding or enquiry under this regulation;

Abetment of offences under this Regulation.

(d) abets, within the meaning of the Indian Penal Code, anything made punishable by this Regulation.

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31. (1) If any person travelling or having travelled in a carriage of the promoter or lessee or of a licensee evades or attempts to evade payment of toll, or if any person having paid toll for a certain distance wilfully proceeds in any such carriage beyond that distance and does not pay the additional toll for the additional distance or attempts to evade payment thereof, or if any person wilfully refuses or neglects on arriving at the point to which he has paid toll to quit the carriage, he shall be punished with fine which may extend to ten rupees.

Penalty for evading payment of proper toll.

(2) When a person commits an offence under this section and refuses on demand of a servant of the promoter, lessee or licensee to give his name and residence, or gives a name or residence which the servant has reason to believe to be false, he may be arrested and taken to the nearest police station by the servant or any person whom the servant may call to his aid.

(3) When the person is taken to the police station he shall with the least possible delay be forwarded to the nearest Magistrate, unless his true name and residence are ascertained, in which case he shall be released on his executing a bond for his appearance before a Magistrate, if so required.

41. Nothing in this Regulation, or in an order or any rule made under this Regulation, shall affect the powers of a local authority or of a Magistrate or police officer to regulate the passage of traffic along or across a road along or across which a tramway is laid; and the authority, Magistrate or officer aforesaid may exercise its or his powers as well on as off the tramway and with respect as well to the traffic of a promoter, lessee or licensee as to the traffic of other persons.

Savings of power of local authority and police to regulate traffic on roads.

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complaint made by the Government or by the local authority or road-authority or by the District Magistrate or, with the previous sanction of the District Magistrate, by any person injuriously affected by the act or omission, be punished with fine which may extend to two hundred rupees, and in the case of a continuing offence to a further fine which may extend to fifty rupees for every day after the first during which the offence continues to be committed.

Penalty for obstructing promoter in exercise of his powers.

28. If any person without lawful excuse, the burden of proving which shall lie upon him, wilfully obstructs any person acting under the authority of the promoter in the lawful exercise of his powers in constructing or maintaining a tramway, or injures or destroys any mark made for the purpose of setting out the line of the tramway

or maintaining or using for public traffic a tramway otherwise than in pursuance of an order made under this Regulation,

The Mysore Municipal Regulation.

No.VII of 1906.

Power of Police officers.

168.(1) Any Police officer may arrest any person committing in his view any offence against any of the provisions of this Regulation, or of any by-law thereunder, if the name and address of such person be unknown to him, and if he decline to give his name and address, or if the Police Officer have reason to doubt the accuracy of such name and address if given, and such person may be detained at the station-house until his name and address shall be correctly ascertained.

Provided that no person arrested shall be detained without the order of a Magistrate longer than shall be necessary for bringing him before a Magistrate, or than twenty-four hours at the utmost.

(2) It shall also be the duty of all Police Officers to give immediate information to the Municipal Council of the commission of any offence against the provisions of this Regulation or of any by-law thereunder and to assist to all Municipal officers and servants in the exercise of their lawful authority.

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REGULATION No. IV OF 1906.

(Passed on the 24th day of July 1906.)

A Regulation to Consolidate and amend the Law Relating to Mines in Mysore.

WHEREAS it is expedient to consolidate and amend the law relating to Mines in Mysore; His Highness the Maharaja is pleased to enact as follows:— Preamble.

PRELIMINARY.

1. This Regulation may be called "The Mysore Mines Regulation, 1906." Short title.

It extends to the whole of Mysore, and shall come into force on the first day of September 1906. Local extent and commencement.

2. The Mysore Mines Regulation, 1897, and Regulations I and VI of 1900 are hereby repealed. Repeal.

3. In this Regulation, unless there be something repugnant in the subject or context, Interpretation.

(1) "Mining operation" includes— Mining operation.

(*a*) the carrying on of any underground or surface work in connection with the prospecting for, or the mining, winning, dressing, milling and treatment of ores, minerals and mineral products of every description;

(*b*) the erecting, making and using of, and otherwise dealing with, for purposes of such work, any railway, tramway, road, building machinery and other plant; and

(*c*) the manufacture, carriage, storage and use of all explosives, chemicals and other materials to be employed in such work.

(2) "Mining Block" means any block or area of land in and upon which the right to carry on mining operations is held by a Mining Proprietor under a Mining Lease granted by the Government. Mining Block.

(3) "Mine" means any place above or below ground where any mining operation is carried on, and includes all such portions of the surface of any mining block whereon the right of entry has been acquired by purchase or otherwise by a Mining Proprietor. Mine.

(4) "Mining Proprietor" or "Proprietor" means any person or persons or company on whose behalf any mining operations are carried on. Mining Proprietor

Section 4.

Mining Superintendent.

(5) "Mining Superintendent" or "Superintendent" means the person who is the local representative of a Mining Proprietor, and includes an Agent or Manager in charge of any mine on behalf of a Mining Proprietor.

Mining material.

(6) "Mining material" includes—

(*a*) alluvial gold, gold ores, native gold, precious stones and other rocks and minerals of value;

(*b*) gold amalgam, sponge gold, zinc precipitates, slags, concentrates, tailings, residues and other valuable mineral products of mines in any stage of treatment or extraction; and mercury, potassium cyanide and other chemicals, apparatus, tools marked with the distinguishing mark of the mine, and materials used in such treatment and extraction;

(*c*) dynamite, nitro-glycerine, blasting gelatine, gelatine dynamite, fuse, detonators and other explosives used or intended to be used in mining operations;

(*d*) stearine candles distinguished by the wax being of light pink colour; and

(*e*) such other materials and things used or intended to be used in mining operations as may be declared by the Government from time to time, by notification published in the official Gazette, to be mining materials.

Unwrought gold.

(7) "Unwrought gold" includes bar gold, gold bullion and any alloy containing gold in any form whatever which though smelted is not made up into articles of jewellery, vessels, coins, or other articles of use or commerce.

Gold dealer.

(8) "Gold dealer" means any person who buys or sells unwrought gold, or receives unwrought gold by way of barter or pledge.

Goldsmith.

(9) "Goldsmith" means any person who, by profession, melts, refines, or works in unwrought gold or silver, or engages in the melting or manufacture of articles made of gold or silver or of alloys containing gold or silver, and includes a silversmith.

Inspector of Mines.

(10) "Inspector of Mines" includes any officer to whom all or some of the duties of an Inspector of Mines under this Regulation shall have been delegated, by a general or special order of the Government, so far as the performance of such duties is concerned.

PROTECTION OF MINING PROPERTY.

Sections 5 to 20 may be applied to specified areas.

4. (1) The provisions of sections 5 to 20, inclusive, shall not apply to any local area unless extended thereto

by the Government by a notification published in the official Gazette.

(2) The Government may, by a like notification, cancel or modify any notification issued under sub-section (1).

Mining materials not to be purchased, conveyed or kept without written permission.

5. No person shall purchase or take in barter or exchange any mining material belonging to a Mining Proprietor without the written permission of such Mining Proprietor or his Superintendent, nor shall any person, without such written permission, receive, convey, or, except in such places as may be specially authorized, keep, any such mining material otherwise than for use for mining purposes on behalf of such Mining Proprietor or his Superintendent.

Penalty for unlawful possession of mining materials.

6. Any person found to be in possession of any mining material without the written permission of a Mining Proprietor or Superintendent, and unable to prove that his possession of the same was obtained in a lawful manner, shall, on conviction before a Magistrate, be liable to the penalty provided in section 13.

Licenses required for gold dealer and goldsmiths.

7. It shall not be lawful for any person to buy or sell unwrought gold or to receive unwrought gold by way of barter or pledge without a gold dealer's license, nor to carry on the profession of a goldsmith without a goldsmith's license as hereinafter provided.

Provided that it shall not be necessary for a Mining Proprietor to take out a goldsmith's license on account of the smelting, refining or other preparation of any gold obtained from his mine by any persons acting on his behalf.

Power to grant a license.

8. (1) The licenses referred to in section 7 may be issued by a Magistrate of the First Class on payment of such fees as the Government may by rule prescribe in that behalf, and every license shall terminate on the 31st day of December of the year in which it is issued.

(2) Every gold dealer's and every goldsmith's license and every application for a license, shall, respectively, be in such forms as may be prescribed by Government.

Power to cancel a license.

9. No license shall be issued to any applicant unless the Magistrate is satisfied that he is a person of good character and reputation, and it shall be in the absolute discretion of the Magistrate to grant or withhold such license as he may think fit. Any license may be cancelled

by a First Class Magistrate on the licensee being convicted of any offence—such conviction not being reversed on appeal or in revision—which in the opinion of the Magistrate renders him unfit to hold a license. Provided that any decision under this section by a Magistrate other than the District Magistrate shall be appealable to the District Magistrate, whose order shall be final.

Books to be maintained.

10. (1) Every licensed gold dealer shall keep at his place of business a book (hereinafter called a gold dealer's register) in which the receipt or disposal of all unwrought gold shall be immediately entered in such forms as may be prescribed by Government.

(2) Every licensed goldsmith shall keep at his place of business a book (hereinafter called a goldsmith's register) in which the receipt or disposal of all gold, silver, gold or silver jewellery, unwrought gold or other gold stuff, received, treated, or disposed of, by him shall be immediately entered in such form as may be prescribed by Government.

(3) Every gold dealer's register and every goldsmith's register together with any article or items of gold referred to therein and in the possession of the licensee shall be open to inspection at any time by any police officer not below the rank of Chief Constable, or any police officer specially authorized in this behalf by the Superintendent of Police or by a First Class Magistrate; provided that the person making such inspection shall not divulge the result thereof to any person other than a police officer or Magistrate or by order of a court, under a penalty on conviction not exceeding one hundred rupees.

Goldsmiths not to deal with gold, etc., until after three days of receipt.

11. No licensed goldsmith shall smelt, work, use or deal with any of the articles directed to be entered in his register under section 10 until after the expiry of three clear days from the time when such article is received by him. Provided that this section shall not apply to the repairing of articles of jewellery by a goldsmith in any way which does not change or destroy the identity of such articles.

Possession of unwrought gold unlawful except in certain cases.

12. It shall not be lawful for any person to have in his possession any unwrought gold unless he holds a gold dealer's license or a goldsmith's license or unless he is a Mining Proprietor or duly accredited person acting on behalf of a Mining Proprietor.

Penalty for breach of Section 5, 6, 7, 10, 11 or 12.

13. Any person committing an offence under section 5, 6, 7, 11 or 12 shall, except in the case mentioned

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in the proviso to sub-section (3) of section 10, be liable on conviction to fine not exceeding five hundred rupees, or imprisonment of either description for a term which may extend to one year, or both.

14. It shall be in the discretion of the Magistrate, in the case of any person not being a female or other person exempted under section 393 of the Code of Criminal Procedure, who shall be convicted of a second offence under section 5, 6, 7 or 12, to award whipping under the provisions of the Mysore Whipping Regulation, V of 1903, either in substitution of, or in addition to, the penalty provided in section 13.

Substitution or addition of whipping in certain cases.

15. Any police officer not below the rank of an officer in charge of a police station may search any person or any house, building or place for the discovery of any mining material, unwrought gold or other thing with, or in respect of, which an offence under this Regulation is reasonably suspected to have been committed.

Power to search.

16. Any person being the tenant or occupier or reputed tenant or occupier of any premises, at the time when any unwrought gold or mining material reasonably suspected of being stolen or unlawfully obtained is found thereon and seized by any police officer, shall be deemed to have been in possession of such unwrought gold or mining material within the meaning of section 12 or 6, as the case may be, until he proves the contrary.

Liability of tenant or occupier of premises in regard to unwrought gold or mining material seized therein.

17. Any person not employed in a mine who shall have been directed to quit such mine by an order in writing signed by the Superintendent of the Mine, and who subsequently to such order remains at or re-enters upon the mine without the permission of the Superintendent, and any person not employed at any mine who shall have been directed to vacate a Government cooly colony by an order in writing signed by the Superintendent of Police, and who subsequently to such order remains in or returns to such Government cooly colony without the permission of the Superintendent of Police, shall be liable on conviction before a Magistrate to the penalty provided in section 19.

Liability of unemployed person ordered off any mine or cooly colony.

18. No hawker or pedlar shall carry on his business without a license in writing obtained for that purpose from a Magistrate of the First Class. Licenses shall be issued subject to such conditions and the levy of such fees as Government may prescribe. Any person carrying on such

License required for hawkers and pedlars.

business without a license as aforesaid, or acting in contravention of any of the conditions of such license, shall be liable on conviction before a Magistrate to the penalty provided in section 19.

Penalty for breaches of sections 17 and 18.

19. Any person committing an offence under section 17 or 18 shall be liable on conviction to fine not exceeding one hundred rupees or imprisonment of either description for a term not exceeding three months, or both.

Cognizability of offences by the Police.

20. All offences under sections 5, 6, 7, 10, 11, 12, 16, 17 and 18 of this Regulation shall be cognizable by the Police.

GENERAL.

Abetment of offences under this Regulation.

38. The abetting (within the meaning of the Indian Penal Code) of any offence under this Regulation shall be punishable in the same manner as the offence itself.

Offences against Regulation and rules by whom cognizable.

39. All offences punishable under this Regulation and all breaches of any rules or bye-laws made thereunder shall be cognizable by the District Magistrate or a Magistrate of the First or Second Class.

Provisions of the Code of Criminal Procedure to apply to searches.

40. The provisions of the Code of Criminal Procedure relating to searches shall, so far as may be, apply to all searches made or instituted under this Regulation.

Publication of rules and bye-laws.

41. All rules and bye-laws made under this Regulation shall be published in the official Gazette, and shall thereupon have the force of law.

~~safeguards of persons who have the management of his~~ mine, and of those who are employed in or about the said mine, as may be considered necessary to meet the particular circumstances of the said mine, and calculated to prevent accidents likely to cause danger to human life or safety, and to provide for the safety and proper discipline of the persons employed in or about the said mine.

(2) The Government may at any time cancel or vary any sanction granted under this section.

Publication of rules.

23. Every Mining Proprietor and his Superintendent shall publish the rules prescribed under sections 21 and 22 of this Regulation in such manner that all persons engaged in or about the mine shall have an opportunity of knowing adequately such rules as may relate to the work they are employed upon.

Penalty for breach of rules.

24. Every person who contravenes, or does not comply with, any rule duly prescribed under section 21

REGULATION No. V OF 1910.

(Received the assent of His Highness the Maharaja on the 2nd day of December 1910.)

THE MYSORE POISONS REGULATION.

A Regulation to provide for the regulation of the possession and sale of all poisons in certain local areas, and the importation, possession and sale of white arsenic generally.

Whereas it is expedient to make provision for regulating the possession and sale of all poisons in certain local areas, and the importation, possession and sale of white arsenic throughout the whole of Mysore; His Highness the Maharaja is pleased to enact as follows:— **Preamble.**

1. (1) This Regulation may be called "The Mysore Poisons Regulation, 1910." **Short title and extent.**

(2) It extends to the whole of Mysore.

POISONS GENERALLY.

2. (1) The Government may, by rule, regulate within the limits of any Municipality the possession for sale and the sale, whether wholesale or by retail, of any specified poison. **Power to regulate possession for sale and sale of any poison in certain areas.**

(2) In particular and without prejudice to the generality of the power conferred by sub-section (1), rules made thereunder may provide for, amongst other matters—

(*a*) the grant of licenses to possess any specified poison for sale, wholesale or by retail, and the fixing of the fee (if any) to be charged for such licenses;

(*b*) the classes of persons to whom alone such licenses may be granted;

(*c*) the classes of persons to whom alone any such poison may be sold;

(*d*) the maximum quantity of any such poison which may be sold to any one person;

(*e*) the maintenance by vendors of any such poison of registers of sales, the particulars to be entered in such registers, and the inspection of the same;

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(*f*) the safe custody of such poisons and the labelling of the vessels, packages or coverings in which any such poison is sold or possessed for sale; and

(*g*) the inspection and examination of any such poison when possessed for sale by any such vendor.

(3) Any substance specified as a poison in a rule made under this section shall be deemed to be a poison for the purposes of this Regulation.

WHITE ARSENIC.

Power to prohibit importation into Mysore of white arsenic except under license.

3. The Government may, by notification in the official Gazette, prohibit, except under and in accordance with the conditions of a license, the importation of white arsenic into Mysore and may, by rule, regulate the grant of licenses and prescribe the conditions to be imposed thereby under this section.

Power to regulate possession for sale and sale of white arsenic throughout the State.

4. (1) The Government may, by rule, also regulate within the whole, or any part, of Mysore the possession for sale and the sale, whether wholesale or by retail, of white arsenic.

(2) In particular, and without prejudice to the generality of the power conferred by sub-section (1), rules made thereunder may provide, amongst other matters, for all or any of the matters specified in section 2, sub-section (2).

(3) Rules made under sub-section (1) may further provide that no person shall sell any powdered white arsenic unless the same is, before the sale thereof, mixed with soot, indigo or Prussian blue in the proportion of half an ounce of soot, indigo or Prussian blue at least to one pound of the white arsenic, and so in proportion for any greater or less quantity:

Provided that, where such arsenic is stated by the purchaser to be required for some purpose for which such admixture would, according to the representation of the purchaser, render it unfit, such arsenic may be sold, without such admixture, in a quantity of not less than 10 pounds at any one time.

Power to regulate possession of white arsenic in certain tracts.

5. (1) The Government may further, by rule, regulate the possession of white arsenic in any local area in which murder by poisoning with that drug or the offence of mischief by poisoning cattle therewith appears to it to be of such frequent occurrence as to render restrictions on the possession thereof desirable.

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(2) In making any rule under sub-section (1), the Government may direct that any breach thereof shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both, together with confiscation of the white arsenic in respect of which the breach has been committed, and of the vessels, packages or coverings in which the same is found.

OTHER POISONS.

Power to apply Regulation to other poisons.

6. (1) The Government may, by notification in the official Gazette, apply to any specified poison other than white arsenic all or any of the provisions of this Regulation relating exclusively to white arsenic.

(2) Any substance specified as a poison in a notification issued under sub-section (1) shall be deemed to be a poison for the purposes of this Regulation.

PENALTIES AND PROCEDURE.

Penalty for unlawful importation, etc.

7. (1) Whoever—

(*a*) commits a breach of any rule made under section 2 or section 4, or sub-section (2) of section 10, or

(*b*) imports into Mysore, without a license, white arsenic the importation of which is for the time being restricted under section 3, or

(*c*) breaks any condition of a license for the importation of white arsenic granted to him under section 3,

shall be punishable,—

(i) on a first conviction, with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both, and

(ii) on a second or subsequent conviction, with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(2) Any poison in respect of which an offence has been committed under this section, together with the vessels, packages or coverings in which the same is found, and, in the case of any offence mentioned in clause (*b*) or clause (*c*) of sub-section (1) any animals and conveyances used in carrying it, shall be liable to confiscation.

Power to issue search-warrant.

8. (1) The Inspector-General of Police, or the District Magistrate or the Sub-Divisional Magistrate may issue

a warrant for the search of any place in which he has reason to believe or to suspect that any poison is possessed or sold in contravention of this Regulation or any rule thereunder or that any poison liable to confiscation under this Regulation is kept or concealed.

(2) The person to whom the warrant is directed may enter and search the place in accordance therewith and the provisions of the Code of Criminal Procedure, 1904, relating to search-warrants shall, as far as may be, be deemed to apply to the execution of the warrant.

Rules.

9. (1) In addition to any other power to make rules hereinbefore conferred, the Government may make rules generally to carry out the purposes and objects of this Regulation.

(2) Every power to make rules conferred by this Regulation shall be subject to the condition of the rules being made after previous publication.

(3) All rules made by the Government under this Regulation shall be published in the official Gazette, and on such publication shall have effect as if enacted in this Regulation.

SAVINGS.

Savings.

10. (1) Nothing in this Regulation or in any license granted or rule made thereunder shall, save as provided for in sub-section (2) to this section, extend to or interfere with anything done in good faith in the exercise of his profession or business as such—

(*a*) by a medical or veterinary practitioner, or

(*b*) by a chemist or druggist duly qualified to act as such under the law for the time being in force in the United Kingdom, or

(*c*) by a chemist, druggist or compounder dispensing or compounding in compliance with the prescription of a medical or veterinary practitioner, or

(*d*) subject to any rules for the time being in force under section 5, by a tanner or hide merchant.

(2) The Government may, in the case of medical or veterinary practitioners or chemists or druggists vending any poisonous drug to be specified by Government in this behalf, make rules for—

(i) the maintenance by them of registers of sales, the particulars to be entered in such registers and the inspection of the same;

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Section 10.

(ii) the safe custody of such drugs and the labelling of the vessels, packages or coverings in which any such drug is sold or possessed for sale; and

(iii) the inspection and examination of any such drugs when possessed for sale by any such person.

(3) Notwithstanding anything hereinbefore contained, the Government may, in its discretion, by general or special order, declare that all or any of the provisions of this Regulation shall not be deemed to apply to any article, or class of articles of commerce specified in such order, or to any poison, or class of poisons used for any purpose so specified, and may, from time to time, alter or vary any such declaration.

(4) The Government may, by general or special order, exempt any person or class of persons, either generally or in respect of any poison or poisons specified in the order, from the operation of any rule which it is empowered by this Regulation to make.

T. ANANDA ROW,
Dewan.

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NOTIFICATION.

No. J. 473—*Legis.* 28-10-11, *dated* 14*th August* 1912.

The Government of His Highness the Maharaja of Mysore are pleased to issue the following rules in exercise of the powers conferred by Sections 2, 4, 9 and 10 (2) of the Mysore Poisons Regulation, 1910, for the purpose of regulating the possession for sale and the sale of white arsenic and certain other poisons in Mysore with effect from the 1st September 1912.

Rules.

1. For the purposes of these rules—
   (i) the expression "white arsenic" includes every substance in which there is free arsenious oxide; and
   (ii) the expressions "sell" and "sale" shall mean, respectively, "sell by retail" and "sale by retail."

2. The following shall be considered to be poisons for the purposes of Section 2 and sub-section (2) of Section 10 of the Mysore Poisons Regulation, 1910, *viz.*—

   Aconite, Nux Vomica, Perchloride of Mercury (corrosive sublimate), Cyanide of Potash, Stramonium (Dathura), and every preparation and admixture of these drugs, and Chloroform and its preparations used for the purpose of anæsthetising.

3. No person shall—
   (i) possess white arsenic for sale, or
   (ii) sell white arsenic or other poisons except under a license granted in this behalf by the District Magistrate.

4. The grant of a license to any applicant shall be at the discretion of the District Magistrate, whose decision shall be final. The license shall be granted for the year ending with the 30th June.

5. A fee of rupee one shall be charged for each license granted under Rule 4 and shall be paid before the grant of such license. The license shall be inscribed on a non-judicial impressed stamp paper of the appropriate value.

6. A license, unless previously withdrawn under Rule 7, shall terminate on the death of the license-holder.

7. The District Magistrate may, for any sufficient cause, revoke or cancel any license granted under Rule 4.

8. A license-holder shall effect every sale of white arsenic or other poison in person.

9. A license-holder shall not sell any white arsenic or other poison to any person—
   (*a*) who is not personally known to him or identified to his satisfaction, or
   (*b*) who appears to him to be under the age of 18 years, or
   (*c*) who does not appear to him to be in full possession of his faculties, or
   (*d*) who is a wandering mendicant.

10. A license-holder shall not sell white arsenic or other poison in any quantity exceeding one ounce at any one time to any one person.

11. (i) A license-holder shall maintain a register in which he shall enter all sales of white arsenic or other poison.

(ii) The following particulars shall be entered in respect of each sale, in the register maintained under sub-rule (i) *viz.*—

   (*a*) serial No.,
   (*b*) name of poison,
   (*c*) quantity sold,
   (*d*) date of sale,
   (*e*) name of purchaser,
   (*f*) address of purchaser,
   (*g*) purpose for which white arsenic or other poison is stated to be required,
   (*h*) signature of purchaser and his left thumb mark, and
   (*i*) signature of vendor.

Retain all the sections

12. A license-holder shall maintain a stock register, which shall contain the following particulars, namely :—

(*a*) serial No.,
(*b*) date,
(*c*) quantity received,
(*d*) name and address of person from whom received,
(*e*) quantity sold,
(*f*) balance in stock, and
(*g*) remarks.

13. Any Magistrate, any Police Officer of or above the rank of Sub-Inspector, any Revenue Officer of or above the rank of Deputy Amildar, or any Medical officer of or above the rank of Sub-Assistant Surgeon, may at any time visit and inspect the premises of a license-holder where white arsenic or other poison is kept for sale and may inspect the stock found therein and the registers kept under Rules 11 and 12.

14. (1) White arsenic or other poison shall be kept in securely closed receptacles of glass, tin or earthenware.

(2) All such receptacles shall be kept in a separate locked almirah or box and shall be marked in paint with the name of the poison contained therein.

(3) Every almirah or box and each receptacle within such almirah or box, shall have the word "poison" in English and Kannada painted upon it in red letters.

15. When any white arsenic or other poison is sold, it shall be securely packed in a packet.

(2) Every packet sold shall be labelled by the vendor with a red label bearing the name of the poison in Kannada and the number and date of the entry in the register of sales.

16. A license-holder shall not sell powdered white arsenic to any person unless the same is, before the sale thereof, mixed with soot, indigo or Prussian blue in the proportion of half an ounce of soot, indigo, or Prussian blue at least to one pound of the white arsenic and so in proportion for any greater or less quantity.

Provided that, where such arsenic is stated by the purchaser to be required for some purpose for which such admixture would, according to the representation of the purchaser, render it unfit, the license-holder may sell such arsenic without such admixture, in a quantity of not less than ten pounds at any one time.

17. These rules shall be in force throughout Mysore in respect of white arsenic, and shall be applicable in respect of other poisons to such Municipalities in the State as may from time to time be notified by Government in the official Gazette.

18. Under sub-section (2) of Section 10 of the Mysore Poisons Regulation, 1910, the Government are further pleased to direct that the provisions of Rules 11 to 16 shall apply in the case of Medical or Veterinary practitioners or chemists or druggists vending poisonous drugs specified in Rule 2.

By Order,

K. R. SRINIVASIENGAR,
Officiating Secretary to Government, General and Revenue Departments.

THE MYSORE LIMITATION REGULATION.

Regulation No IV of 1911.

XI-Shedule.

Description of appeal	Period of limition	Time from which period begins to run
150--.Under the Code of Criminal Procedure, 1904, from a sentence of death passed by a Court of Session.	Seven days.	The date of the sentence.
154-- Under the Code of Criminal Procedure, 1904, to any Court other than the Chief Court.	Thirty days	The date of the sentence or order appealed from.
155---Under the same Code, to the Chief Court, except in the cases provided for by article 150and article157.	Sixty days	Do Do
157---Under the Code of Criminal Procedure, 1904 from an order of acquittal	Six months	The date of the order appealed from.

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REGULATION No. VII OF 1911.

(Received the assent of His Highness the Maharaja on the 15th day of May 1911.)

A Regulation to provide for the Regulation and Control of Public Conveyances in Mysore.

WHEREAS it is expedient to provide for the regulation and control of Public Conveyances in Mysore; His Highness the Maharaja is pleased to enact as follows:— Short title, extent and commencement.

1. (1) This Regulation may be called "The Mysore Public Conveyance Regulation, 1911."

(2) It extends to the whole of Mysore.

(3) It shall come into force at once. But nothing herein contained shall affect any power conferred by any law relating to Municipalities or any rule made in exercise of any such power.

2. The Bangalore City Hackney Carriage Regulation, 1887, is hereby repealed. Repeal.

But all rules made by the Municipal Council of the City of Bangalore under the above Regulation, which may be in force at the time this Regulation comes into force shall, so far as they are not inconsistent with this Regulation, be deemed to have been made under this Regulation. Savings.

3. In this Regulation— Definition.

"Public Conveyance" means any vehicle with two or more wheels which is kept or offered or plies for hire of whatever form or construction and whether drawn by men, horses or other animals. "Public Conveyance."

4. The Government may, by notification in the official Gazette, apply this Regulation to any Municipality within Mysore. Application of the Regulation to Municipalities.

When the Regulation has been so applied to any Municipality, the Municipal Council may, from time to time, make rules for the regulation and control of Public Conveyances within the limits of such Municipality in the manner in which, under the law for the time being in force, it makes bye-laws for the regulation and control of other matters within its limits. Power of Municipalities to make rules.

Every rule made under this section shall, when confirmed by the Government and published for such time and in such manner as the Government may from time to time prescribe, have the force of law.

Power to make rules for areas outside Municipalities.

5. The Government may, from time to time, make rules for the regulation and control of Public Conveyances in any area outside the limits of a Municipality and such rules, when published for such time and in such manner as the Government may from time to time prescribe, shall have the force of law.

Power of a Municipal Council to extend the operation of the rules beyond the limits of the Municipality.

6. A Municipal Council making rules under this Regulation may, with the previous sanction of the Government, extend their operation to any railway station or specified part of a road not more than six miles from the local limits of the Municipality.

Matters as to which rules may be made.

7. The rules to be made under Section 4 or Section 5 may, among other matters,—

(*a*) direct that no Public Conveyance, or no Public Conveyance of a particular description, shall be let to hire, or taken to ply, or offered for hire, except under a license granted in that behalf under this Regulation or within the limits of the City of Bangalore, under the Bangalore Hackney Carriage Regulation as in force in the Civil and Military Station, Bangalore;

(*b*) direct that no person shall act as driver of a Public Conveyance except under a license granted in that behalf under this Regulation or within the limits of the City of Bangalore under the Bangalore Hackney Carriage Regulation as in force in the Civil and Military Station, Bangalore;

(*c*) provide for the issue of the licenses referred to in clauses (*a*) and (*b*), prescribe the conditions (if any) on which such licenses shall be granted, and fix the fees (if any) to be paid therefor;

(*d*) regulate the description of animals, harness and other things to be used with licensed conveyances, and the condition in which such conveyances and the animals, harness, and other things used therewith, shall be kept, and the lights (if any) to be carried after sunset and before sunrise;

(*e*) provide for the inspection of premises on which any such conveyances, animals, harness and other things are kept;

(*f*) fix the time for which such licenses shall continue in force, and the events (if any) upon which

within that time they shall be subject to revocation or suspension;

(*g*) provide for the numbering of such conveyances;

(*h*) determine the times at which, and the circumstances under which, any person keeping a public conveyance shall be bound to let or may refuse to let the conveyance to any person requiring the same;

(*i*) appoint places as stands for public conveyances, and prohibit such conveyances waiting for hire except at such places;

(*j*) limit the rate or fares, as well for time as distance, which may be demanded for the hire of any public conveyance, and prescribe the minimum speed at which such conveyances when hired by time shall be driven;

(*k*) limit the number of persons, and the weight of property, which may be conveyed by any such conveyance;

(*l*) require the owner or person in charge of any such conveyance to keep a printed list of fares in such language as may be prescribed, affixed inside such conveyance in such place as may be determined by the rules, and prohibit the destruction or defacement of such list;

(*m*) require the drivers to wear a numbered badge or ticket and to produce their licenses when required by a Magistrate or other person authorised by the rules in this behalf, and prohibit the transfer or lending of such licenses and badges;

(*n*) provide for the deposit of property found in such conveyances and the payment of a fee by the owner of such property on the delivery thereof to him; and

(*o*) prohibit the employment in Public Conveyances of animals which by reason of disease, infirmity, wound, sore, or other cause are unfit for such employment.

Punishment for breach of rules.

8. (1) Any person breaking any rule made under this Regulation shall be punished with fine which may extend to fifty rupees.

Licenses when subject to revocation or suspension.

(2) A license granted under the rules under Section 7 above shall be subject to revocation or suspension upon the happening of any event prescribed by the rules under which the license is granted and, in the case of a license granted by the Municipal Council of the City of Bangalore, also upon the happening of any event upon which it would be so subject under the law in force in the Civil and Military Station, Bangalore.

Fees and expenses.

9. The amount of any fees received and the amount of any expenses incurred in giving effect to this Regulation shall, in any Municipality, be credited and debited, respectively, to the Municipal Fund and in any other case, to such fund as the Government may, by general or special order, direct.

Decision of disputes between hirer and owner or driver of conveyance.

10. If any dispute arises between the hirer of any public conveyance and the owner or driver of such conveyance as to the amount of the fare payable by such hirer under any rule made under this Regulation, such dispute shall, upon application made in that behalf by either of the disputing parties, be heard and determined by any Magistrate or Bench of Magistrates within the local limits of whose jurisdiction such dispute has arisen; and such Magistrate or Bench may, besides determining the amount so in dispute, direct that either party shall pay to the other such sum as compensation for loss of time as such Magistrate or Bench thinks fit.

Any sum determined to be due or directed to be paid under this section shall be recoverable as if it were a fine.

The decision of such Magistrate or Bench in any case under this section shall be final.

When any such case is heard by a Bench, any difference of opinion arising between the members of such Bench shall be settled in the same manner as differences of opinion arising between such members in the trial of criminal cases.

Driver to take hirer in conveyance to Court of Magistrate.

11. If, at the time any dispute mentioned in Section 10 arises, any Magistrate having jurisdiction in respect of such dispute is sitting, the hirer of the conveyance, if it is one for the conveyance of passengers, may require the driver thereof to take him in the same to the Court of such Magistrate for the purpose of making an application under that section.

Any driver neglecting or refusing to comply with such requisition shall be punished with imprisonment for a term which may extend to one month, or with fine not exceeding fifty rupees, or with both.

Penalty for injuring conveyance.

12. If any person using a Public Conveyance under this Regulation wilfully or negligently injures the same, he shall be punished with a fine which may extend to twenty rupees and shall also pay to the owner of the Public Conveyance compensation for the injury, the amount of the compensation to be fixed by the convicting Magistrate, and to be recovered as a fine.

T. ANANDA ROW,
Dewan.

MGP—1,200—18-7-11.

NOTIFICATION.

No. J. 3626—Legis. 21-13-1, dated 5th June 1914.

Under Section 5 of the Mysore Public Conveyances Regulation, 1911, the Government of His Highness the Maharaja are pleased to make the following rules for the control and inspection of public conveyances in Mysore:—

1. The rules shall apply to all public conveyances plying for hire in areas to which the rules may, from time to time, be extended by Government by notification in the official gazette.

2. In these rules the expression "Inspecting officer" shall mean any Police officer not below the rank of an Inspector, a Veterinary Inspector, or any person specially authorized in writing by the District Magistrate for this purpose.

3. No owner or driver of a public conveyance shall use such conveyance for hire unless:—

(1) the carriage is in good order and repair in all its parts.

(2) The animals used in drawing the same are thoroughly broken to harness, in good condition, free from sores and fit for public use, and harness is complete and in serviceable order.

4. No person who is less than eighteen years of age shall drive a public conveyance.

5. It shall be lawful for the Inspecting Officer, at any time between sunrise and sunset, to enter any premises in which a public conveyance or any animal or harness intended for being used in connection therewith is kept, in order to inspect its condition and the owner of such premises or conveyance, animal or harness, as the case may be, or his agent, shall afford every facility therefor.

6. The Inspecting Officer may also, at any time, stop a public conveyance, while in motion, and inspect the condition of the same or any animal or harness used therewith. The driver of such conveyance shall, for this purpose whenever required by the Inspecting Officer to do so, stop the conveyance and shall afford every facility to the Inspecting Officer for making such inspection.

7. The Inspecting Officer may in writing prohibit the use, for a public conveyance, of any animal which he may consider unfit for such use by reason of disease, infirmity, wound, sore or other cause, either permanently or temporarily for a specified period.

8. No owner or driver shall use the same contrary to the order referred to in Rule 7. But it shall be open to every such owner or driver to prefer an appeal to the District Magistrate against such order after duly complying with the same.

By Order,

D. M. NARASINGA RAO,

Officiating Secretary to Government,
General and Revenue Departments.

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NOTIFICATION.

No. J. 3627—Legis. 21-13-2, dated 5th June 1914.

Under Rule 1 of the Rules for the control and inspection of public conveyances in Mysore, published under Notification No. J. 3626—Legis. 21-13-1, dated 5th June 1914, the Government of His Highness the Maharaja are pleased to extend the said rules to the following roads and all towns and villages situated on or adjacent to these routes :—

Bangalore District.—
- Bangalore-Chikballapur road.
- Bangalore-Magadi road.
- Bangalore-Hosur road.
- Whitefield-Hoskote road.

Tumkur District.—
- Tumkur-Sira road.
- Tumkur-Kunigal road.
- Tumkur-Maddagiri road.
- Chiknayakanhalli-Banasandra road.

Kolar District.—
- Kolar-Chikballapur road.
- Kolar-Bowringpet road.
- Kolar-Mulbagal road.
- Chikballapur-Bagepalli road.
- Chikballapur-Dodballapur road.

Mysore District.—
- Mysore-Mercara road.

Mysore District.—
- Maddur-Bluff road.

Hassan District.—
- Arsikere-Hassan-Saklespur road.

Shimoga District.—
- Shimoga-Sagar road.
- Holalkere-Channagiri road.
- Shimoga-Tirthahalli road.
- Shimoga-Honnali road.
- Shimoga-Shikarpur road.
- Shikarpur-Shiralkoppa road.

Kadur District.—
- Tarikere-Koppa road.
- Chikmagalur-Mudgere road.
- Chikmagalur-Koppa road.

Chitaldrug District.—
- Chitaldrug-Holalkere road.
- Chitaldrug-Challakere road.
- Chitaldrug-Hiriyur road.

By Order,

D. M. NARASINGA RAO,

Officiating Secretary to Government,
General and Revenue Departments.

R. S. Nataraja Iyer.

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(25)

R. S. NATARAJA IYER "BE JUST AND FEAR NOT"

REGULATION No. XI OF 1911.

(Received the assent of His Highness the Maharaja on the 9th day of October 1911.)

A Regulation to provide for the Prevention of Smoking by Juveniles.

Whereas it is expedient to provide for the prevention of smoking by youthful persons in Mysore; His Highness the Maharaja is pleased to enact as follows:— Preamble.

1. (1) This Regulation shall be called "The Prevention of Juvenile Smoking Regulation, 1911." Short title.

(2) It shall extend to the whole of Mysore; and Extent and commencement.

(3) It shall come into force in such areas and from such date as may be notified by the Government in the official gazette in this behalf.

2. In this Regulation unless there is something repugnant in the subject or context— Interpretation.

"Police Officer" shall mean a member of the Regular Police Force appointed under the Mysore Police Regulation, 1908, as well as a member of the Village Police Force appointed under the Rules for the organisation and regulation of the Village Police for the time being in force. "Police Officer."

"Tobacco" shall mean tobacco cut or uncut and includes any preparation or mixture of tobacco with other substances for the purpose of smoking or chewing or taking in as snuff. "Tobacco."

3. If any person sells to a person actually and by appearance under the age of sixteen years, except on the written order of the parent, guardian or employer of such last-named person, any tobacco, he shall be liable, on conviction before a Magistrate, in the case of a first conviction, to a fine not exceeding twenty rupees, and in the case of a second conviction, to a fine not exceeding fifty rupees, and in the case of a third and every subsequent conviction, to a fine not exceeding one hundred rupees. Penalty on selling tobacco to youthful persons.

4. It shall be the duty of a Police Officer to seize any tobacco in the possession of any person apparently Seizure of tobacco.

Price three pies

under the age of sixteen whom he finds smoking, or chewing or taking in as snuff, tobacco in any street or public place.

Tobacco seized how dealt with.

5. The articles seized under the last preceding section together with the person from whom they were seized shall be forthwith taken to the nearest Police Station, and the Officer in charge of such Police Station shall take down the name and address of the person's parent or guardian and ascertain if he is a pupil of any public school and at once set him free.

Notice to be given after seizure.

6. The Officer in charge of the said Police Station shall then send a notice of such seizure to the parent or guardian and to the Head Master of the School.

Person found with tobacco how dealt with.

7. If a person who has once been set free under Section 5 is again apprehended after a lapse of three months from the date of issue of any notice under the last preceding section, he may be sent in custody before the nearest Magistrate as soon as possible, unless an undertaking in writing is given by the parent or guardian or some other respectable person to produce him whenever required, in which case, he shall be forthwith released.

Punishment.

8. When a person under sixteen years of age is produced before a Magistrate under the last preceding section, such Magistrate may either discharge him with a warning or inflict on him a fine not exceeding one rupee or order him to receive six stripes in the way of school discipline. Provided that no imprisonment shall be awarded in default of payment of fine.

Whipping.

9. Any sentence of whipping passed under this Regulation shall be administered privately in the presence of the Magistrate.

T. ANANDA ROW,
Dewan.

REGULATION No. I OF 1913.

The Mysore Emigration Regulation.

(Received the assent of His Highness the Maharaja on the 13th day of May 1913.)

Preamble.

WHEREAS it is expedient to regulate the emigration of minors and other persons beyond the limits of Mysore for labour; His Highness the Maharaja is pleased to enact as follows:—

Title and extent.

1. This Regulation may be called "The Mysore Emigration Regulation, 1913." It extends to the whole of Mysore.

2. Definitions—

"Emigrate and Emigration."

(*a*) "Emigrate and Emigration" denote the departure out of Mysore of a native of Mysore under an agreement to labour for hire in some country beyond the limits of Mysore.

"Emigrant."

(*b*) "Emigrant" means any native of Mysore who emigrates or has emigrated, and includes any dependent of an emigrant.

"Dependent."

(*c*) "Dependent" means any of the following persons accompanying an emigrant, namely,—

any woman who has not entered into an agreement to emigrate; any child in whose name and on whose behalf any such agreement has not been entered into; and any aged or incapacitated relative or friend.

"Labour."

(*d*) "Labour" means unskilled labour and does not include domestic personal service.

"Recruiter."

(*e*) "Recruiter" includes a head recruiter or other person who collects or receives emigrants recruited by other persons.

Countries to which emigration is permitted.

3. Emigration to places outside India and Ceylon shall be lawful only to countries to which the Governor-General of India in Council has permitted emigration or to which he has not prohibited emigration from British India under any law in force in British India.

Recruitment under a license.

4. (1) In cases in which a license shall be required for recruiting in British, India under any law for the time being in force there, no person shall, without such a license granted by a Protector of Emigrants under Section 16 of the Indian Emigration Act (XVII of 1908,)—

(*a*) enter into or attempt to enter into any agreement with any person purporting to bind him to emigrate, or

(*b*) in consideration of any hire or reward, induce or attempt to induce any person to leave any place for the purpose of emigrating, or

(*c*) act or be employed in any other respect as a recruiter of emigrants.

(2) Every recruiter required to have such a license shall produce it when called upon to do so by any Magistrate or officer in charge of a Police Station.

Power of District Magistrates to terminate the license.

5. Any District Magistrate may, after recording reasons therefor, endorse upon such a license that it should not be valid within the limits of his jurisdiction, and thereafter it shall be unlawful for any person to recruit coolies on the strength of such license.

Recruiter to supply copy of the terms of agreement he is authorised to offer.

6. A recruiter shall give a true copy in the Kannada language of the statement of the terms of the agreement that he is authorised to offer to intending emigrants under the provisions of Section 22 (1) of the Indian Emigration Act (XVII of 1908) to every person whom he invites to emigrate, and shall when called upon to do so produce the statement for the information of any Magistrate or officer in charge of a Police Station.

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REGULATION No. IV OF 1913.

A Regulation to Regulate the use of Motor Vehicles in Mysore.

Received the assent of His Highness the Maharaja on the 26th September 1913.

Preamble.

WHEREAS it is expedient to regulate the use of motor vehicles in Mysore; His Highness the Maharaja is pleased to enact as follows:—

Short title.

1. (1) This Regulation may be called the Mysore Motor Vehicles Regulation, 1913.

Local extent.

(2) It extends to the whole of Mysore.

Commencement.

(3) It shall come into force on the 1st day of October 1913.

Definitions. Motor Vehicles.

2. (1) "Motor Vehicles" shall include all vehicles constructed to be propelled, entirely or partially, by mechanical means on roads.

"Registering Officer."

(2) "Registering Officer" shall mean the Inspector-General of Police or any other person who may be appointed by Government either by name or by virtue of his office for registering motor vehicles within a particular area.

Registration of Motor Vehicles.

3. After three months from the date on which this Regulation comes into force, and after the owner has had reasonable opportunity for having the motor vehicle registered under the same, no person shall drive a motor vehicle on a public road or thoroughfare unless it has been registered under this Regulation or under any similar enactment in force for the time being in any part of British India or in the Civil and Military Station, Bangalore.

Grant of license.

4. (1) A license to drive a motor vehicle may be granted by the District Magistrate or such other authority as may from time to time be empowered by

Government by notification in the Gazette, to any person over the age of 18 years, applying for it on payment of a fee of Rs. 2.

Duration and renewal of license.

(2) Every license shall remain in force for a period of 12 months from the date on which it is granted, but shall be renewable, and the same provisions shall apply to the renewal of the license as apply to the grant thereof.

Refusal to grant or renew license and cancellation of license

(3) Subject to the control of Government, the licensing Officer may refuse to grant or renew a license, or may cancel a subsisting license; but in all such cases, he shall previously give notice to the person applying for the license or its renewal, or the holder of the license to appear before him, either in person or by an agent, at a place and time to be specified in such notice and to show cause why the application for the grant or the renewal of the license should not be refused, or why the license should not be cancelled for all or any of the reasons specified in such notice and may, after hearing him or his agent, if either of them appears, refuse the application for the grant or renewal of the license, or may cancel the license for all or any of such reasons to be recorded in writing and may, where the license is cancelled, require the license-holder to surrender the same within a time to be specified in such requisition.

Transfer and surrender of license.

5. The holder of a license shall not lend it to, or allow it to be used by, any other person and shall surrender it on being required to do so under section 4.

Production of license.

6. The driver of a motor vehicle shall produce his license upon demand by any Police officer above the rank of a constable who is in uniform or wears other sufficient indications of his office.

Obligation to stop vehicle for regulating traffic and in case of accident.

7. The person in charge of a motor vehicle shall cause the vehicle to stop and to remain stationary so long as may reasonably be necessary—

(*a*) when requested to do so by any Police officer who is in uniform or wears other sufficient

indications of his office for the purpose of regulating traffic or of ascertaining his name and address in view to prosecute such person under this Regulation or for any purpose connected with the enforcement of the provisions of this Regulation and the rules framed thereunder, or any other law for the time being in force, or

(*b*) when requested to do so by any person having charge of a horse or other animal (whether led, driven or ridden) which appears to be frightened by the motor vehicle, or

(*c*) when he knows or has reason to believe that an accident has occurred to any person or to any animal or vehicle in charge of a person owing to the presence of the motor vehicle on the road, and

he shall also, if so required, give his name and address and the name and address of the owner of such motor vehicle.

Obligation to carry light attached to vehicles.

8. During the period, between half an hour after sunset and one hour before sunrise, the person in charge of a motor vehicle shall carry attached thereto lights of such description and so situated as the Government may, by rule under section 9, direct.

Power of Government to make rules.

9. (1) The Government may, after previous publication, make rules to regulate the use of motor vehicles in the whole or any part of Mysore.

(2) In particular and without prejudice to the generality of the foregoing power, the Government may make rules under this section containing directions as to all or any of the following matters, namely:—

(*a*) the conditions under which the motor vehicles may be registered, the fee payable for registration, and the notification of changes of ownership to the registering officer;

(*b*) the assignment of distinguishing numbers to motor vehicles on registration and the display thereof in prominent positions on the vehicles;

(*c*) the provision and use on motor vehicles of adequate brakes or other means of stoppage and the testing of their efficiency;

(*d*) the provision and use on motor vehicles of bells, horns or other instruments for giving audible and sufficient warning of their approach or position; and the prohibition of the use of any particular signal by other vehicles than motors;

(*e*) the description of lights to be carried on motor vehicles and the position in which they should be placed;

(*f*) the conditions under which licenses to drivers of motor vehicles may be granted, renewed or cancelled;

(*g*) the speed at which motor vehicles may be driven;

(*h*) the precautions to be observed when motor vehicles are standing in any street or public place;

(*i*) for prohibiting the driving of motor vehicles in any place where their use may be attended with danger to the public; or regulating the hours within which motor vehicles may be driven, or the hours within which no vehicle other than a motor vehicle shall be driven in any such place;

(j) generally, for preventing danger or injury to persons, animals, vehicles or goods by motor vehicles and for preventing obstruction to traffic by them.

No person may drive without license.

10. After three months from the date on which this Regulation comes into force, and after he has had reasonable opportunity of obtaining a license under this Regulation no person shall drive a motor vehicle, without such license or a license granted under a similar enactment in force in British India or in the Civil and Military Station, Bangalore, on a public road or thoroughfare or employ so to drive a motor vehicle any person who is not so licensed.

11. (1) The Government may, by the publication of a notification, prohibit within any local area or along any road specified in such notification the letting or plying for hire of any motor vehicle, except under a permit granted by them, or by such officer, if any, as they may appoint in this behalf, subject to such general or special conditions as the Government or such officer may see fit to prescribe.

Power of Government to prohibit letting or plying for hire, except under permit.

(2) The grant of any such permit shall be at the absolute discretion of the Government, or of such officer subject to the control of the Government.

Provided that the grant of a permit under sub-section (1) shall not in any way hinder or restrict the grant of another permit to any other person.

12. Any person committing a breach of sections 3, 5, 6, 7, 8, 10 and 11 or of any rule made under section 9, shall on conviction be liable to a fine which may extend to fifty rupees, or in the case of a second or subsequent conviction to one hundred rupees.

Penalty for breach of certain sections or rules.

13. No offence punishable under this Regulation shall be enquired into and tried by a Magistrate of the 3rd class.

Enquiry into and trial of offences.

14. Notwithstanding anything hereinbefore contained, the Government may, by the publication of a notification, exempt, either generally or for a specified period, any particular motor vehicles or classes of motor vehicles from the operation of all or any of the provisions of this Regulation, and may vary or rescind such notification.

Power of Government to exempt certain vehicles from operation of Regulation.

M. VISVESVARAYA,

Dewan.

W D 1762—GPB—400—11-1-17

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NOTIFICATION.

No. J. 2016—Legis. 17-13-5, dated 19th January 1914.

In exercise of the powers conferred by Section 9 of the Mysore Motor Vehicles Regulation, 1913, the Government of His Highness the Maharaja are pleased to make the following Rules for the Registration and Regulation of Motor Vehicles in Mysore :—

RULES.

I. Preliminary.

Short title, extent and definition.

1. (1) These rules may be called the Motor Vehicles Rules, 1914.

(2) They shall extend to the whole of Mysore.

(3) In these rules—

(*a*) "the Regulation" means the Mysore Motor Vehicles Regulation, 1913, and

(*b*) the expression "motor cycle" means a two, three or four wheeled cycle propelled by mechanical means, fitted with seats, but without a carriage body and weighing not more than 3 cwts.

II. Registration.

Fees.

2. All motor vehicles belonging to persons resident in the State shall be registered under these rules. The fee for registration under this Regulation shall be rupees four for motor cycles and rupees sixteen for all other motor vehicles. There shall be no fee for re-registering, during the first year of these rules coming into force, motor vehicles which have been already registered under any enactment in force in British India or in the Civil and Military Station, Bangalore.

Number, transfer of ownership, etc.

3. (1) The registering authority shall assign a distinguishing number to each motor vehicle and shall record the name and address of the owner.

(2) The number so assigned shall be shown in white figures on a black ground and shall be fixed by the owner in a prominent position on both the front and the rear of the motor vehicle.

(3) The number shall be not less than 3½ inches in height and shall be perfectly legible. In the case of motor cycles they shall be not less than 2 inches in height.

(4) Such number shall not be in any way obscured ; or allowed to become, not easibly discernible at a reasonable distance.

4. In the case of a manufacturer of, or a dealer in, motor vehicles, a general number may be assigned by the registering officer on payment of an annual fee of Rs. 32 to be used on any motor vehicle when on trial after completion of the running parts or when on trial by an intending purchaser or when being used by a person licensed under Section 4 (1) of the Regulation, for the purpose of instructing any other person in the use of the motor vehicle or cycle. Provided that such motor vehicle shall not ply for or be let out on hire, unless it has been separately registered under Section 3 of the Regulation.

5. Every transfer of ownership shall forthwith be intimated to the registering officer by the transferee by a notice in writing signed by himself or his agent.

Requirements before registration.

6. (1) Before registering a motor vehicle the registering officer shall be satisfied that it is provided with two independent brakes or other means of stoppage in good working order and of such efficiency that the application of either is capable of promptly stopping the motor vehicle.

(2) In the case of applications for the registration of motor vehicles, the registering officer may accept the certificate of the District Superintendent of Police that the requirements of sub-section (1) are in any particular case in his opinion, sufficiently complied with.

Subsequent defects.

7. If at any time after a motor vehicle has been registered, the registering officer has reason to believe that it has ceased to comply with the requirements of sub-section (1) of Rule 6, or that it is not maintained in such a condition as to prevent danger to the public, he may, after notice to the registered owner, direct that the registration be cancelled until such time as the defects are rectified to his satisfaction.

III. General.

Driving on the proper side of the road.

8. A motor vehicle shall be driven in accordance with the rules of the road which require a vehicle to keep on the left of the road except when overtaking horses and vehicles going in the same direction which should be passed on their right.

Provided that when passing a tram car or other vehicle running on fixed rails the driver of any motor vehicle may drive on whichever side thereof he may consider necessary, having due regard to the circumstances of the case.

Reckless driving.

9. A motor vehicle shall not be driven in a public road or place recklessly or negligently or at a speed or in a manner which is likely to endanger human life, or to cause hurt or injury to any person, or animal, or damage to any vehicle or property, or which would be otherwise than reasonable and proper, having regard to all the circumstances of the case, including the nature, condition and use of the road, and the amount of traffic which is actually or may reasonably be expected to be on it at the time.

Speed limit.

Provided that the Presidents of the Municipal Councils of the Bangalore and Mysore Cities and the District Magistrates elsewhere, shall have power, subject to the approval of Government, to prescribe that when passing through a particular locality, street or village, motor drivers shall not exceed such rate as may be indicated on notice boards erected at each end of the locality, street or village.

Provided also that the Government by notification may prescribe a rate of speed which shall not be exceeded either generally or in any particular locality.

Prohibition as to use of motor vehicles on foot-paths in certain localities.

10. (1) A motor vehicle shall not be driven in any foot-way, nor in any road or public place, where such driving may, for the time being, be prohibited as being dangerous to the public or obstructive to traffic by an order promulgated by the President of the Taluk Board for the taluk or the Chairman of the Municipality within which the foot-way, road, etc., is situated. Such order may be in respect of driving within specific hours or of driving generally and may at any time be withdrawn or varied by the President or the Chairman as the case may be.

(2) Any person affected by an order issued under Rule 10 (1) may apply by petition to the District Magistrate, to cancel or modify such order.

Directions in regulation of traffic.

11. (1) The person in charge of a motor vehicle shall obey all directions of Police Officers posted or stationed for the regulation of traffic at crossings or other places, and shall cause the motor vehicle to stop when requested to do so under Section 7, clauses (*a*) and (*b*) of the Regulation.

(2) When any accident has occurred to any person, or to any animal or vehicle in charge of any person owing to the presence of any motor vehicle on the road and there is no Police Officer present, the driver of the motor vehicle shall, if any person has been injured, render every possible assistance to such person.

Motor vehicles to carry horns.

12. Every person driving a motor vehicle shall have ready and available for immediate use a suitable horn capable of giving audible and sufficient warning of his approach or position and shall sound the same whenever expedient to prevent danger to any of the public. Provided that no sirens shall be allowed.

13. The lights to be carried by motor vehicles, under Section 8 of the Regulation shall be as follows :—

Motor vehicles to carry lamps.

(1) In the case of vehicles other than motor cycles—

(*a*) one lamp showing a white light in front shall be affixed on each side of the front portion of the vehicle ;

(*b*) one lamp showing a red light at the rear and showing a white light at the side shall be affixed at the back of the vehicle in such manner as to illuminate with the white light and render easily distinguishable the number of the vehicle.

(2) In the case of motor cycles one lamp showing a white light in front shall be affixed to the motor cycle.

(3) In all cases—

(*a*) the lamps shall be of suitable character and illumination ;

(*b*) the lamps shall be kept properly alight ;

(*c*) where acetyline or electric lamps or lamps of any description giving a powerful and intense light are used within any local limits specially notified by the District Magistrate or the President of a City Municipal Council the same shall be properly hooded or screened to the satisfaction of the registering authority.

Maintenance.

14. No person shall have a motor vehicle—

(*a*) unless it is at all times under full control so as to prevent undue interference with passenger or other traffic, and unless it is maintained in such a condition as to prevent danger to the public or to any person riding on it ; (*b*) unless it is so used that no smoke or visible vapour is emitted therefrom except from some temporary or accidental cause.

15. No motor vehicle shall be allowed to stand in any street or public place unattended by a person licensed under Section 4 of the Regulation, unless all reasonable precautions have been taken to prevent it moving.

16. The driver of a motor vehicle shall not unnecessarily cause the vehicle to travel backwards for a greater distance or time than may be requisite for purposes of safety or in order to turn round.

Register to be kept.

17. A manufacturer of, or a dealer in, motor vehicles shall distinctly mark every such vehicle by a letter or letters in addition to the dealer's general number under Rule 4. He shall keep in such form as the registering authority may direct a register showing the name of the driver in charge of each of the motor vehicles when allowed to leave his premises and the hours and dates on which he was in charge of the vehicle.

Such register shall be open to inspection on the demand of any Police Officer of or above the rank of Sub-Inspector.

Motor competition or reliability trials.

18. No motor competition, reliability trial, display or exhibition, in which more than five motor vehicles take part, shall be permitted on any public road without the previous sanction of Government.

IV. FORMS.

Application for license.

19. Every application for a license under Section 4 of the Regulation shall contain the particulars specified in Schedule A.

License.

20. Every license granted under Section 4 of the Regulation shall be in the form of Schedule B.

Application for registration.

21. Every application for registration shall contain the particulars specified in Schedule C.

SCHEDULE A.

Particulars to be given by applicant for license to drive (see Rule 19).

1. Full name of applicant.
2. Postal address or residence of applicant.
3. The age of the applicant.
4. Whether applicant holds, or has at any time previously held a license.
5. Particulars of any license which applicant holds, or which he has previously held.
6. Particulars of any endorsement on any license which applicant holds or which he has previously held.

SCHEDULE B.

Form of license (see Rule 20).

No. of 191 .

[Fee Rupees two (Rs. 2) only.]

Motor vehicle license granted under Section 4 of the Mysore Motor Vehicles Regulation, 1913.

.....

Name).....

(of .....

(Address).....

is hereby licensed to drive a motor vehicle for the period of twelve months from this date.

(Signature).....

Dated.....

Inspector-General of Police
or District Magistrate of

SCHEDULE C.

Application for Registration (see Rule 21).

1. Full name of owner.
2. Postal address of usual residence of owner.
3. Description or type of motor vehicle.
4. Type and colour of body of vehicle.
5. Maximum speed.
6. Number of cylinders.
7. Horse power.
8. Whether intended for—
   (*a*) private use,
   (*b*) use for trade purposes,
   (*c*) use as a public conveyance.

By Order,
K. R. SRINIVASIENGAR,
Secretary to Government,
General and Revenue Departments.

REGULATION No. I OF 1916.

A Regulation to consolidate and amend the law relating to Lunacy.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(1) "asylum" means the asylum for lunatics established by Government at Bangalore:

(2) "cost of maintenance" in an asylum includes the cost of lodging, maintenance, clothing, medicine and care of a lunatic and any expenditure incurred in removing such lunatic to and from the asylum:

(3) "district court" means the principal Civil Court of original jurisdiction:

(4) "criminal lunatic" means any person for whose confinement in, or removal to, the asylum, jail or other place of safe custody an order has been made in accordance with the provisions of section 466 or section 471 of the Code of Criminal Procedure, 1904:

(5) "lunatic" means an idiot or person of unsound mind:

(6) "magistrate" means a District Magistrate, Sub-Divisional Magistrate or a Magistrate of the first class specially empowered by Government to perform the functions of a magistrate under this Regulation:

(7) "medical officer" means a gazetted medical officer of Government, and includes a medical practitioner declared by general or special order of Government to be a medical officer for the purposes of this Regulation:

(8) "medical practitioner" means the holder of the degree of Doctor, Bachelor or licentiate of medicine and surgery of any of the British or Indian Universities and any person trained in a medical college or school who holds a diploma or certificate granted by the Government of Mysore or by any Local Government in British India declaring him to be qualified to practice medicine, surgery or midwifery or be qualified for the duties of an Assistant or Sub-Assistant Surgeon:

(9) "prescribed" means prescribed by this Regulation or by rule made thereunder:

(10) "reception order" means an order made under the provisions of this Regulation for the reception into the asylum of a lunatic other than a lunatic so found by inquisition:

(11) "relative" includes any person related by blood, marriage or adoption: and

(12) "rule" means a rule made under this Regulation.

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asylum.

Monthly inspection by visitors.

26. Two or more of the visitors, one of whom shall be a medical officer, shall, once at least in every month together inspect every part of the asylum and see and examine, as far as circumstances will permit, every lunatic and boarder therein and the order and certificate for the admission of every lunatic admitted since the last visitation of the visitors and shall enter in a book to be kept for that purpose any remarks which they may deem proper in regard to the management and condition of the asylum and the inmates thereof.

Inspection of criminal lunatics by Inspector-General or visitors.

27. (1) When any person is confined under the provisions of Section 466 or Section 471 of the Code of Criminal Procedure, 1904, the Inspector-General of Prisons, if such person is confined in a jail or the visitors of the asylum or any two of them, if he is confined in the asylum, may visit

Powers and duties of police in respect of wandering or dangerous lunatics and lunatics cruelly treated or not under proper care and control.

11. (1) Every officer in charge of a police station may arrest or cause to be arrested all persons found wandering at large within the limits of his station whom he has reason to believe to be lunatics, and shall arrest or cause to be arrested all persons within the limits of his station whom he has reason to believe to be dangerous by reason of lunacy. Any person so arrested shall be taken forthwith before the Magistrate.

(2) Every officer in charge of a police station who has reason to believe that any person within the limits of his station is deemed to be a lunatic and is not under proper care and control, or is cruelly treated or neglected by any relative or other person having the charge of him, shall immediately report the fact to the Magistrate.

Reception order in case of wandering and dangerous lunatics.

12. Whenever any person is brought before a Magistrate under the provisions of sub-section (1) of section 11, the Magistrate shall examine such person, and if he thinks that there are grounds for proceeding further, shall cause him to be examined by a medical officer, and may make such other inquiries as he thinks fit; and if the Magistrate is satisfied that such person is a lunatic and a proper person to be detained, he may, if the medical officer who has examined such person gives a medical certificate with regard to such person, make a reception order for the admission of such lunatic into the asylum:

Provided that if any friend or relative of the lunatic enters into a bond with or without sureties for such sum of money as the Magistrate thinks fit, conditioned that such lunatic shall be properly taken care of, and shall be prevented from doing injury to himself or to others, the Magistrate, instead of making a reception order, may, if he thinks fit, make him over to the care of such friend or relative.

Order in case of lunatic cruelly treated or not under proper care and control.

13. (1) If it appears to the Magistrate, on the report of a police officer or the information of any other person, that any person within the limits of his jurisdiction deemed to be a lunatic is not under proper care and control, or is cruelly treated or neglected by any relative or other person having the charge of him, the Magistrate may cause the alleged lunatic to be produced before him, and summon such relative or other person as has or ought to have the charge of him.

(2) If such relative or other person is legally bound to maintain the alleged lunatic, the Magistrate may make an order for such alleged lunatic being properly cared for and treated, and, if such relative or other person wilfully neglects to comply with the said order, the Magistrate may sentence him to imprisonment for a term which may extend to one month.

(3) If there is no person legally bound to maintain the alleged lunatic, or if the Magistrate thinks fit so to do, he may proceed as prescribed in section 12, and upon being satisfied in manner aforesaid that the person deemed to be a lunatic is a lunatic and a proper person to be detained under care and treatment may, if a medical officer gives a medical certificate with regard to such lunatic, make a reception order for the admission of such lunatic into the asylum.

Order to justify detention and recapture after escape.

32. Every person received into the asylum under any such order as is required by this Regulation, may be detained therein until he is removed or discharged as authorized by law, and in case of escape may, by virtue of such order, be re-taken by any police officer or by the person in charge of the asylum, or any officer or servant belonging thereto, or any other person authorized in that behalf by the said person in charge, and conveyed to and received and detained in the asylum:

Provided that in the case of a lunatic not being a criminal lunatic the power to re-take such escaped lunatic under his section shall be exerciseable only for a period of one month from the date of lis escape.

RULES

UNDER THE

VILLAGE SANITATION

29 201

REGULATION I OF 1898

3. Particular attention must be drawn to the provisions of Section VII relating to Epidemic Diseases. In case of the spread of such a disease, it is competent to the Deputy Commissioner, under clause (*a*) of Rule 1, should he consider such a course absolutely necessary, to direct the inhabitants or any of them to disperse for a time till the epidemic shall have ceased. If the disease prevalent is small-pox, the inhabitants should be advised to submit themselves to vaccination. In any case, all possible efforts should be made to remove the exciting causes, arising mainly from impurities in the soil or water of the locality, which an outbreak invariably denotes.

Every Member of a Municipal or District Board, every Revenue Officer of or above the grade of Deputy Amildar, the District Police Officer, the Chief Medical Officer of the District, and any other officer empowered by the said Board or by the Deputy Commissioner, shall be entitled to inspect and to report upon the sanitary condition of villages, and to give such instructions to the sanitary agency referred to in Rule 3 of this section as may be calculated to further the observance of the Rules.

sufficient depth to allow a full space of five feet between the body and the level of the ground, and shall not be excavated at a less distance than two feet from any other

SECTION VII.—EPIDEMIC DISEASES

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1. In the event of an outbreak of cholera, small-pox, or other infectious disease in a village—

(*a*) every person shall be bound to comply with any reasonable direction that may be given him by the sanitary agency of his village, or by any authority to which such agency is subordinate, for the proper cleansing and disinfecting of his house or premises or for preventing the spread of the disease;

(*b*) prompt steps shall be taken to cleanse the village by removing all filth that may have accumulated in the backyards of houses as well as in the streets;

(*c*) all matter discharged by the person attacked shall at once be removed and burnt, disinfected or buried;

(*d*) the dwelling house of the person attacked shall be thoroughly disinfected and whitewashed, and the clothes and bedding used by him either buried or burnt or disinfected;

(*e*) fresh earth shall be strewn around the dwelling, more particularly where any discharges from the infected person are likely to have been thrown;

(*f*) the hut in which the case occurred may, wit the previous permission of an officer not below the rank of Amildar or Deputy Amildar, and on payment of reasonable compensation, be destroyed, if it is one of mud and has a thatched roof; and in all cases, before the house is again inhabited, it shall be thoroughly cleansed and whitewashed and not allowed to be occupied for at least fifteen days.

2. When infectious cattle disease breaks out, the owners of cattle shall keep their sick cattle segregated and far removed from the village.

RULES UNDER THE MYSORE FACTORIES REGULATION, III OF 1914.

Notice of accidents.

25. (1) Notice of accidents resulting in death, or causing such severe injury that there is no reasonable hope that the injured person will be able to return to work within 48 hours, shall be sent by telegraph, telephone or special messenger within one hour of the occurrence to—

(*a*) The inspector notified for any area as the person to whom notices are to be sent;

(*b*) the District Magistrate or, if he by general order so directs, any other Magistrate of the first class.

(2) In case of any accident resulting in death, notice shall also be sent within the same time and by similar agency to the officer in charge of the Police Station for the area in which the factory is situated.

(3) If the notice is sent by special messenger, it shall be in Form E attached to these rules, and if it is sent by telegraph or telephone it shall be confirmed by a written report in that form.

FORM E.

Report of accidents or dangerous occurrence.

Dated , the 191 .

SIR,

I, beg hereby to give notice under rule of the Factory Rules that an accident occurred in the factory of at o'clock on causing death / serious injury / slight injury to the persons mentioned below :—

Name and address of persons injured	Caste	Sex	Age	Occupation *	Nature and extent of injury †

The accident was caused by ‡

The injured persons are under treatment by

(Sd.) A. B.,
Manager.

* Usual employment or precise occupation at time of accident.

† Describe briefly the nature and extent, *e.g.*, loss of finger, fracture of leg, scald, etc.

‡ Here describe how caused, by what part of machinery, or in what other way if; machinery, state whether in motion by mechanical power at the time and if it was due to the carelessness of the operative or not.

NOTIFICATION.

No. J. 375—Legis. 8-14-2, dated Bangalore, 12th August 1914.

Ordered that the accompanying Regulation, (The Mysore Naval and Military News (Emergency) Regulation No. VII of 1914) which received the assent of His Highness the Maharaja on the 11th August 1914, be published in *Mysore Gazette* for general information.

By Order,
D. M. NARASINGA RAO,
Officiating Secretary to Government,
General and Revenue Departments.

The Mysore Naval and Military News (Emergency) Regulation, No. VII of 1914.

(Received the assent of His Highness the Maharaja on the 11th day of August 1914.)

Whereas it is expedient to enforce in Mysore the provisions of the Indian Naval and Military News (Emergency) Ordinance, 1914, made and promulgated by the Government of India under Section 23 of the Indian Councils Act, 1861, His Highness the Maharaja is pleased to enact, under Section 15 of the Mysore Legislative Council Regulation, 1907, as follows:—

1. The Indian Naval and Military News (Emergency) Ordinance, 1914, shall, *mutatis mutandis*, be enforced in Mysore as long as, and to the same extent as, the Ordinance is in force in British India.

2. It shall apply to all subjects of the State, whether resident in or out of Mysore, and to all persons resident within the State.

M. VISVESVARAYA,
Dewan.

Ordinance for securing the control of the Press during war.

Whereas an emergency has arisen which makes it necessary to control the publication of naval or military news or information;

Now, therefore, in exercise of the power conferred by Section 23 of the Indian Councils Act, 1861, the Governor-General is pleased to make and promulgate the following Ordinance:—

ORDINANCE No. I OF 1914.

Short title and extent.

1. (1) This Ordinance may be called the Indian Naval and Military News (Emergency) Ordinance, 1914.

(2) It extends to the whole of British India, including British Baluchistan, the Sonthal Parganas, the District of Angul, the Shan States and the Pargana of Spiti; and it applies also to:—

(*a*) All Native Indian subjects of His Majesty in any place without and beyond British India;

(*b*) All other British subjects within the territories of any Native Prince or Chief in India; and

(*c*) All servants of His Majesty, whether British subjects or not, within the territories of any Native Prince or Chief in India.

Prohibition of publication of Naval or Military news or information.

2. It shall not be lawful to publish any information with reference to movements or dispositions of troops, ships, aircraft or war material, or to the strategic or other plans or schemes of the naval or military authorities of any part of the British Empire or to any works or measures undertaken for or connected with the defence or fortification of the British Empire or any part thereof or any statement, comment or suggestion calculated directly or indirectly to convey any such information except when such information has been supplied for publication under the authority of the Governor-General in Council or of a Local Government, or has been approved for publication by an officer appointed in this behalf,

(*a*) by the Governor-General in Council; or

(*b*) by any officer to whom the Governor-General in Council has delegated the power of such appointment.

Explanation.—In this section the expression "British Empire" includes all territories under the suzerainty or protection of His Majesty.

Penalties.

3. The publisher, editor and printer of any newspaper, magazine, book, pamphlet or other document by means of which any information, statement, comment or suggestion is published in contravention of this ordinance, shall severally be punishable in respect of each offence with imprisonment of either description for a term which may extend to one year, or with fine which may extend to five thousand rupees or with both and any other person who sells any newspaper, magazine, book, pamphlet or other document knowing it to contain any such information, statement, comment or suggestion or who is otherwise knowingly responsible for the publication of any such information, statement, comment or suggestion shall be liable to a similar penalty.

Restriction on trial of offences.

4. (1) No Court shall proceed to the trial of any offence punishable under this ordinance unless upon complaint made by order of or under authority from, the Governor-General in Council, the Local Government or some officer empowered by the Governor-General in Council in this behalf.

(2) No magistrate other than a presidency magistrate, district magistrate or sub-divisional magistrate shall take cognizance of or try any offence punishable under this ordinance.

Power of Police Officer to seize documents publishing information in contravention of this ordinance.

5. Any police officer may seize any newspaper, magazine, book, pamphlet or other document in which any information, statement, comment or suggestion is published in contravention of this ordinance and such officer shall forward anything seized to a presidency magistrate, district magistrate, or sub-divisional magistrate, having jurisdiction in the place where such thing was seized.

Powers of magistrate to confiscate documents published in contravention of ordinance.

6. (1) Whenever any newspaper, magazine, book, pamphlet or other document is published in contravention of this ordinance a presidency magistrate, district magistrate, or sub-divisional magistrate may, whether the offender is convicted or not, order that all copies of such newspaper, magazine, book, pamphlet or other document, within the limits of his jurisdiction shall be confiscated.

(2) A magistrate making an order under sub-section (1) may issue a warrant to any police officer to seize and detain anything confiscated under that sub-section and to search for such thing in any place where such thing is known or reasonably suspected to be.

Power of magistrate to issue several warrants and order confiscation in certain cases.

7. (1) Whenever a presidency magistrate, district magistrate, or sub-divisional magistrate is satisfied from a police report or otherwise that any information, statement, comment or suggestion is being or is likely to be published in contravention of this ordinance within the limits of his jurisdiction he may issue a warrant to a

police officer to search for, seize and detain any document containing such information, statement, comment or suggestion.

(2) Such magistrate may order that anything seized under a warrant issued under sub-section (1) shall be confiscated.

Power of police officer executing search warrant.

8. A police officer, to whom a warrant under section 6 or section 7 is directed may search in any place and seize and detain anything in accordance with the provisions of the warrant and shall forward anything seized to the magistrate by whom the warrant was issued.

Bar of jurisdiction of courts.

9. No order made, or purporting to be made, in accordance with the provisions of this ordinance directing or relating to the issue of a search warrant or the confiscation of anything shall be called in question in any court, and no civil or criminal proceeding shall be instituted against any magistrate or police officer for anything done in good faith under this ordinance or purporting to be so done.

Certificate by Secretary to Government to be evidence of certain facts.

10. A certificate signed by a Secretary to the Government of India to the fact that any territory is or is not under the suzerainty or protection of His Majesty shall, in any proceeding under this ordinance be conclusive evidence of such fact.

Application of Code of Criminal Procedure, 1898, to proceedings under this ordinance.

11. Save as otherwise expressly provided, the provisions of the Code of Criminal Procedure, 1898, shall apply to all proceedings under this ordinance.

(Sd.) HARDINGE OF PENSHURST,
Viceroy and Governor-General.

The Mysore Gazette

EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

BANGALORE, WEDNESDAY, SEPTEMBER 23, 1914.

The Mysore Foreigners (Emergency) Regulation, No. X of 1914.

(Received the assent of His Highness the Maharaja on the 21st day of September 1914.)

Whereas it is expedient to enforce in Mysore the provisions of the Foreigners Ordinance No. III of 1914, made and promulgated by the Government of India under section 23 of the Indian Councils Act, 1861, His Highness the Maharaja is pleased to enact, under section 15 of the Mysore Legislative Council Regulation, 1907, as follows:—

1. The Foreigners Ordinance, 1914, shall *mutatis mutandis*, be enforced in Mysore as long as, and to the same extent as, the Ordinance is in force in British India.

2. It shall apply to all subjects of the State, whether resident in or out of Mysore, and to all persons resident within the State.

M. VISVESVARAYA,
Dewan of Mysore.

AN ORDINANCE TO PROVIDE FOR THE EXERCISE OF MORE EFFECTIVE CONTROL OVER FOREIGNERS IN BRITISH INDIA.

ORDINANCE No. III OF 1914.

WHEREAS an emergency has arisen which makes it necessary to provide for the exercise of more effective control over foreigners in British India;

Now, therefore, in exercise of the powers conferred by section 23 of the Indian Councils Act, 1861, the Governor-General is pleased to make and promulgate the following Ordinance.

Short title and extent.

1. (*1*) This Ordinance may be called "The Foreigners Ordinance, 1914."

(*2*) It extends to the whole of British India including British Baluchistan, the Sonthal Parganas, the district of Angul, the Shan States and the Pargana of Spiti.

Definitions.

2. In this Ordinance—

(a) "foreigner" has the same meaning as in the Foreigners Act, 1864.

(b) "prescribed" means prescribed by rules made under this Ordinance.

Power to prohibit or regulate entry, departure and residence of foreigners.

3. (1) The Governor-General in Council may by order—

(a) prohibit, or regulate and restrict in such manner as he thinks fit, the entry of foreigners into British India and their departure from British India; and

(b) regulate or restrict in such manner as he thinks fit the liberty of foreigners residing or being in British India.

(2) In particular and without prejudice to the generality of the foregoing power orders under sub-section (1) may provide—

(a) that no foreigner shall enter into or depart from British India, save within such period and by such route, or by such port or place as may be specified in such order;

(b) that foreigners shall be prohibited from entering or remaining in any specified area in British India or shall only be permitted to enter or remain in British India or any specified area therein subject to such conditions and restrictions as the Governor-General in Council may impose; and

(c) that foreigners residing or being in British India shall remove themselves to and remain in any specified area, or if such an order is necessary for the public safety, or in the interests of the State, that such foreigners shall be arrested and interned or confined in such manner as the Governor-General in Council may think fit.

Penalties.

4. Any foreigner who contravenes or attemps to contravene the provisions of any order made under section 3, shall be punished with imprisonment of either description for a term which may extend to three years or with fine or with both.

Householder to report residence of any foreigner in his house to prescribed authority in specified areas.

5. (1) The Governor-General in Council or any Local Government may, by notification in the *Gazette of India* or the local official Gazette, as the case may be, direct that within any area specified in such notification, every householder in whose house a foreigner is residing either temporarily or permanently shall forthwith report to the prescribed authority in the prescribed manner, the name of such foreigner, and such other particulars respecting him and the period of his residence in such house as may be prescribed.

(2) Any householder who fails to comply with the provisions of any notification issued under sub-section (1) shall be punished with imprisonment of either description for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

Orders under Ordinance may be general or special.

6. Where under the provisions of this Ordinance, the Governor-General in Council or any Local Government is authorised to make any order or issue any notification in respect of foreigners, such order may be made or such notification issued in respect of foreigners generally or in respect of any class or description of foreigners, or in respect of any individual foreigner, and different orders or notifications may be made or issued in respect of different classes of foreigners.

Power to make rules.

7. (1) The Governor-General in Council may make rules for the purpose of carrying into effect the provisions of this Ordinance:

In particular and without prejudice to the generality of the foregoing power such rules may provide for—

(a) the authority to whom, and the manner in which, reports under section 5 shall be made and the particulars to be stated therein; and

(b) the manner in which orders under this Ordinance shall be enforced.

(2) All rules made under this section shall have effect as if enacted in this Ordinance.

Power to rescind or modify rules or orders.

8. The Governor-General in Council or the Local Government may at any time rescind or modify any order, rule or notification made or issued under this Ordinance, and the Governor-General in Council may delegate, subject to such conditions and restrictions as he thinks fit, all or any of his powers under this Ordinance to any civil or military authority in British India either by name or in virtue of his office.

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Saving of powers under existing law.

9. Nothing in this Ordinance shall be deemed to affect or derogate from any power which may be exercised under the Foreigners Act, 1864, or under any other law for the time being in force in respect of foreigners generally or in respect of foreigners who are subjects of a State which is at war with His Majesty.

Power of exemption.

10. The Governor-General in Council may exempt, either absolutely or conditionally, any foreigner or any class or description of foreigners from all or any of the provisions of this Ordinance.

Bar of jurisdiction of Courts.

11. No order made under section 3 of this Ordinance shall be called in question in any Court.

(Signed) HARDINGE OF PENSHURST,
Viceroy and Governor-General.

The Mysore Gazette

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BANGALORE, THURSDAY, DECEMBER 24, 1914.

PART III.

Legislative Measures and Rules thereunder.

The Commercial Intercourse with Enemies (Emergency) Regulation No. XII of 1914. as amended by Regulation II of 1918

(Received the assent of His Highness the Maharaja on the 18th day of December 1914).

Whereas it is expedient to enforce in Mysore the provisions of the Commercial Intercourse with Enemies Ordinance, No. VI of 1914, made and promulgated by the Government of India under Section 23 of the Indian Councils Act, 1861; His Highness the Maharaja is pleased to enact, under Section 15 of the Mysore Legislative Council Regulation, 1907, as follows:—

1. The Commercial Intercourse with Enemies Ordinance, 1914, shall, *mutatis mutandis*, be enforced in Mysore as long as, and to the same extent as, the Ordinance is in force in British India.

2. It shall apply to all subjects of the State, whether resident in or out of Mysore, and to all persons resident within the State.

3. "Section 3 of the Commercial Intercourse with Enemies Ordinance, 1914, as in force in Mysore, shall be read and construed as if after the word 'contravenes' the words 'attempts or directly or indirectly offers, proposes or agrees, or has, since the 18th day of December 1914, attempted or directly or indirectly offered, proposed or agreed, to do any act in contravention of' were inserted."

M. VISVESVARAYA,
Dewan.

Ordinance to prohibit financial and other dealings with any State at war with His Majesty and to provide for the punishment of persons contravening any Proclamation or Order in Council of His Majesty the King-Emperor, relating to trade, commercial intercourse or other dealings with His Majesty's enemies.

ORDINANCE No. VI OF 1914.

WHEREAS an emergency has arisen which makes it necessary to prohibit financial and other dealings with any State at war with His Majesty and to provide for the punishment of persons contravening the provisions of any Proclamation or Order in Council of His Majesty the King-Emperor, for the time being in force, relating to trade, commercial intercourse or other dealings with His Majesty's enemies;

Now, therefore, in exercise of the powers conferred by Section 23 of the Indian Councils Act, 1861, the Governor General is pleased to make and promulgate the following Ordinance.

Short title and extent.

1. (*1*) This Ordinance may be called The Commercial Intercourse with Enemies Ordinance, 1914.

(*2*) It extends to the whole of British India including British Baluchistan, the Sonthal Parganas, the district of Angul, the Shan States and the Pargana of Spiti and it applies also to—

(*a*) all British and Native Indian subjects of His Majesty within the territories of any Native Prince or Chief in India; and

(*b*) all servants of His Majesty whether British subjects or not within the territories of any Native Prince or Chief in India.

Prohibition against financial and other dealings with hostile State.

2. (*1*) During the continuance of a state of war between His Majesty and any State it shall not be lawful to contribute to, or participate in, or assist in the floating of, any loan raised by or on behalf of the Government of such State, or to advance money to, or enter into any contract or dealings with, or otherwise to aid, abet or assist the Government of such State.

(*2*) Any person contravening the provisions of this section shall be punishable as if he had committed an offence under Section 121 of the Indian Penal Code.

Penalty for trading in contravention of His Majesty's direction.

3. During the continuance of a state of war between His Majesty and any State, any person who contravenes any of the provisions of any Proclamation or Order in Council of His Majesty for the time being in force, relating to trade, commercial intercourse or other dealings with any subject of such State, or any person residing, carrying on business or being in the territories, colonies or dependencies of such State, shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

Provision relating to companies and associations.

4. Where a company, association or body of individuals, whether incorporated or not, has done any act which is an offence under this Ordinance, every member or officer of such company, association or body who is knowingly a party to such act, shall be deemed to have committed such offence.

Certificate of Secretary to Government to be conclusive evidence of certain facts.

5. A certificate signed by a Secretary to the Government of India, or by any officer of Government authorised in this behalf by the Governor General in Council, certifying to the fact that on the date specified in such certificate any State was or was not at war with His Majesty, shall be conclusive evidence of such fact.

Saving.

6. Nothing in this Ordinance shall be deemed to prohibit anything done by command of, or under license granted by or under the authority of His Majesty or the Governor General.

Trial of offences.

7. (*1*) No Court shall proceed to the trial of any offence under this Ordinance unless upon complaint made by order of, or under the authority of the Governor General in Council, the Local Government, or some officer empowered by the Governor General in Council in this behalf.

(*2*) No Court inferior to a Court of Session shall try any offence punishable under Section 2, and no Court inferior to that of a Presidency Magistrate or Magistrate of the first class shall try any offence punishable under Section 3.

(Sd.) HARDINGE OF PENSHURST,
Viceroy and Governor General.

Rules under the Muzrai Rec

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EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

BANGALORE, THURSDAY, FEBRUARY 11, 1915.

REGULATION No. II OF 1915.

A Regulation to continue in force the provisions of certain Emergency Regulations.

(Received the assent of His Highness the Maharaja on the 11th day of February 1915.)

WHEREAS the Emergency Regulations mentioned in the Schedule are temporary in their duration and in virtue of Section 15 of the Mysore Legislative Council Regulation, 1907, are limited to expire within the period of six months from their promulgation; and

Whereas owing to the state of war existing between His Majesty the King Emperor and certain foreign Powers it is expedient to provide for the continuance as in this Regulation mentioned of the provisions contained in those Emergency Regulations;

His Highness the Maharaja is pleased to enact as follows:—

Short title.

1. This Regulation may be called the Emergency Legislation Continuance Regulation, 1915.

Continuance of provisions of Emergency Regulations in Schedule.

2. The provisions of the Emergency Regulations mentioned in the Schedule shall have effect as if they had been enacted by His Highness the Maharaja after being passed through the Council and shall be in force during the continuance of the present war and for a period of six months thereafter:

Provided that Government may by notification in the *Mysore Gazette* direct that any provision in any of the said Emergency Regulations shall cease to be in force at any earlier date which may be specified in such notification.

SCHEDULE.

(See Section 2.)

Emergency Regulations made by His Highness the Maharaja under Section 15 of the Mysore Legislative Council Regulation, 1907.

Year	Regulation No.	Short title
1914	VII	The Mysore Naval and Military News (Emergency) Regulation.
1914	X	The Mysore Foreigners (Emergency) Regulation.
1914	XI	The Ingress into Mysore (Emergency) Regulation.
1914	XII	The Commercial Intercourse with Enemies (Emergency) Regulation.

M. VISVESVARAYA,
Dewan.

Statement of objects and reasons.

The outbreak of the present war necessitated certain special legislation to meet the emergency created thereby. Action was taken accordingly, under Section 15 of the Mysore Legislative Council Regulation, 1907.

2. The Emergency Regulations made in exercise of the power referred to are limited in duration to a period of six months. The present state of affairs requires that the duration of this legislation should be prolonged. Accordingly the present Bill provides for the continuance of the Regulations till the end of the war and for a period of six months thereafter.

Power is, however, reserved to Government to direct by notification that any provisions of the Emergency Regulations may be declared to cease to be in force at any earlier date.

The Bill is drafted on the lines of the Emergency Legislation Continuance Act, 1915, of British India.

Registered No. M.—1175.

The Mysore Gazette

EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

BANGALORE, SATURDAY, FEBRUARY 23, 1918.

REGULATION No. I OF 1918.

The Defence of India Regulation.

(Received the Assent of His Highness the Maharaja on the 22nd day of February 1918.)

Whereas it is expedient to enforce in Mysore the provisions of the Defence of India (Criminal Law Amendment) Act, 1915 (No. IV of 1915) of British India as amended by Act II of 1916; His Highness the Maharaja is pleased to enact as follows:—

1. The Defence of India (Criminal Law Amendment) Act, IV of 1915, as amended by Act II of 1916 shall *mutatis mutandis* be enforced in Mysore as along as and to the same extent as the Act is in force in British India.

2. It shall apply to all subjects of the State whether resident in or out of Mysore, and to all persons resident within the State.

3. The Defence of India (Emergency) Regulation, No. V of 1917, is hereby repealed.

M. VISVESVARAYA,
Dewan.

ACT No. IV OF 1915.

An Act to provide for special measures to secure the public safety and the defence of British India and for the more speedy trial of certain offences.

WHEREAS owing to the existing state of war it is expedient to provide for special measures to secure the public safety and the defence of British India and for the more speedy trial of certain offences; It is hereby enacted as follows:—

Short title, extent and duration.

1. (*1*) This Act may be called the Defence of India (Criminal Law Amendment) Act, 1915.

(2) It extends to the whole of British India including British Baluchistan, the Sonthal Parganas and the District of Angul.

(3) This section and section 2 shall come into operation at once. The Governor General in Council may, by notification in the *Gazette of India*, direct that the rest of the Act shall come into operation in any province or part thereof on such date as may be specified in such notification.

(4) This Act shall be in force during the continuance of the present war and for a period of six months thereafter:

Provided that the expiration of this Act shall not affect the validity of anything done in pursuance of it and any person convicted under this Act may be punished as if it had continued in force, and all prosecutions and other legal proceedings pending under this Act at the time of the expiration thereof may be completed and carried into effect, and the sentences carried into execution as if this Act had not expired.

Power to make rules.

2. (1) The Governor General in Council may make rules for the purpose of securing the public safety and the defence of British India and as to the powers and duties of public servants and other persons in furtherance of that purpose.

In particular and without prejudice to the generality of the foregoing power, rules under this section may be made—

(a) to prevent persons communicating with the enemy or obtaining information which may be used for that purpose;

(b) to secure the safety of His Majesty's forces and ships and to prevent the prosecution of any purpose likely to jeopardise the success of the operations of His Majesty's forces or the forces of His Allies or to assist the enemy;

(c) to prevent the spread of false reports or reports likely to cause disaffection or alarm or to prejudice His Majesty's relations with Foreign Powers or to promote feelings of enmity and hatred between different classes of His Majesty's subjects;

(d) to empower any civil or military authority to issue such orders and take such measures as may be necessary to secure the safety of railways, ports, dockyards, telegraphs, post offices, works for the supply of gas, electric light or water, sources of water-supply, all means of communication and any areas which may be notified by such civil or military authority, as areas which it is necessary to safeguard in the public interest;

(e) to enable any naval or military authority to take possession of any property, moveable or immoveable, for naval or military purposes, and to issue such orders and do such acts in respect of any property as may be necessary to secure the public safety or the defence of British India or any part thereof;

(f) to empower any civil or military authority where, in the opinion of such authority, there are reasonable grounds for suspecting that any person has acted, is acting or is about to act in a manner prejudicial to the public safety, to direct that such person shall not enter, reside or remain in any area specified in writing by such authority, or that such person shall reside and remain in any area so specified, or that he shall conduct himself in such manner or abstain from such acts, or take such order with any property in his possession or under his control, as such authority may direct;

(g) to prohibit or regulate the possession of explosives, inflammable substances, arms and all other munitions of war;

(h) to prohibit anything likely to prejudice the training or discipline of His Majesty's forces and to prevent any attempt to tamper with the loyalty of persons in the service of His Majesty or to dissuade persons from entering the military or police service of His Majesty

(*i*) to empower any civil or military authority to enter and search any place if such authority has reason to believe that such place is being used for any purpose prejudicial to the public safety or to the defence of British India and to seize anything found there which he has reason to believe is being used for any such purpose;

(*j*) to provide for the arrest of persons contravening or reasonably suspected of contravening any rule made under this section and prescribing the duties of public servants and other persons in regard to such arrests;

(*k*) to prescribe the duties of public servants and other persons as to preventing any contravention of rules made under this section and to prohibit any attempt to screen persons contravening any such rule from punishment;

(*l*) otherwise to prevent assistance being given to the enemy or the successful prosecution of the war being endangered;

(*m*) to require that there shall be placed, at the disposal of the Governor General in Council, the whole or any part of the output of any factory, workshop, mine or other industrial concern for the manufacture, preparation or extraction of any article or thing which, in his opinion, can be utilised in the prosecution of the present war;

(*n*) to take possession of, and use for the purpose of the Governor General in Council, any such factory, workshop, mine or industrial concern or any appurtenances or plant thereof;

(*o*) to require any work in any such factory, workshop, mine or industrial concern to be done in accordance with the directions of the Governor General in Council;

(*p*) to regulate or restrict the carrying out of work in any such factory, workshop, mine or industrial concern, or to remove the plant therefrom with the object of increasing the output of any other such factory, workshop, mine or industrial concern;

(*q*) to provide for any other action which may be necessary to regulate the possession or to facilitate the collection, manufacture, preparation or extraction of any article or thing, which can, in the opinion of the Governor General in Council, be utilized in the prosecution of the present war; and

(*r*) to regulate the sailings of British steamers from any port in British India, and to reserve, for the use of the Governor General in Council, all or any accommodation of whatever kind for the carriage of persons, animals or goods on any such steamers.

(*2*) Rules made under this section may provide that any contravention thereof or of any order issued under the authority of any such rule shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both, or if the intention of the person so contravening any such rule or order is to assist the King's enemies or to wage war against the King, may provide that such contravention shall be punishable with death, transportation for life or imprisonment for a term which may extend to ten years; to any of which punishments fine may be added.

(*3*) All rules made under this section shall be published in the *Gazette of India* and shall thereupon have effect as if enacted in this Act.

Power of Local Government to direct accused person to be tried by Commissioners.

3. (*1*) The Local Government may by order in writing direct that any person accused of anything which is an offence in virtue of any rule made under section 2, or accused of any offence punishable with death, transportation or imprisonment for a term which may extend to seven years, or of criminal conspiracy to commit, or of abetting, or of attempting to commit or abet any such offence shall be tried by Commissioners appointed under this Act.

(*2*) Orders under sub-section (*1*) may be made in respect of all persons accused of any offence referred to in that sub-section, or in respect of any class of

person so accused, or in respect of persons or classes of persons accused of any particular offence therein referred to or accused of any class of such offences.

(3) No order under sub-section (1) shall be made in respect of or be deemed to include any person who has been committed under the Code of Criminal Procedure, 1898, for trial before a High Court, or in whose case an order for trial has been made under section 6 of the Indian Criminal Law Amendment Act, 1908, but, save as aforesaid, an order under that sub-section may be made in respect of or may include any person accused of any offence referred to therein whether such offence was committed before or after the commencement of this Act.

Appointment and qualifications of Commissioners.

4. (1) Commissioners for the trial of persons under this Act shall be appointed by the Local Government.

(2) Such Commissioners may be appointed for the whole province or any part thereof or for the trial of any particular accused person or class of accused persons.

(3) All trials under this Act shall be held by three Commissioners, of whom at least two shall be persons who have served as Sessions Judges or Additional Sessions Judges for a period of not less than three years, or are persons qualified under section 2 of the Indian High Courts Act, 1861, for appointment as Judges of a High Court or are advocates of a Chief Court or pleaders of ten years' standing.

Procedure of Commissioners.

5. (1) Commissioners appointed under this Act may take cognizance of offences without the accused being committed to them for trial, and, in trying accused persons, shall, subject to any rules made by the Local Government in this behalf, follow the procedure prescribed by the Code of Criminal Procedure, 1898, for the trial of warrant cases by magistrates:

Provided that such Commissioners shall make a memorandum only of the substance of the evidence of each witness examined, and shall not be bound to adjourn any trial for any purpose unless such adjournment is in their opinion necessary in the interests of justice.

(2) In the event of any difference of opinion between the Commissioners, the opinion of the majority shall prevail.

Powers of Commissioners.

6. (1) The judgment of Commissioners appointed under the Act shall be final and conclusive and such Commissioners may pass upon any person convicted by them any sentence authorised by law for the punishment of the offence of which such person is convicted and no order of confirmation shall be necessary in the case of any sentence passed by them.

(2) If in any trial under this Act it is proved that the accused person has committed any offence whether referred to in section 3 or in any order under that section or not, the Commissioners may convict such accused person of such offence and pass any sentence authorised by law for the punishment thereof.

Application of Criminal Procedure Code subject to modifications to proceedings under this Act.

7. The provisions of the Code of Criminal Procedure, 1898, so far as they are inconsistent with the special procedure prescribed by or under this Act, shall not apply to the proceedings of Commissioners appointed under this Act, but save as otherwise provided, that Code shall apply to such proceedings and the Commissioners shall have all the powers conferred by the Code on a Court of Session exercising original jurisdiction.

Exclusion of interference of other criminal courts.

8. (1) Notwithstanding the provisions of the Code of Criminal Procedure, 1898, or of any other law for the time being in force, or of anything having the force of law by whatsoever authority made or done, there shall be no appeal from any order or sentence of Commissioners appointed under this Act, and no Court shall have authority to revise any such order or sentence, or to transfer any case from such Commissioners, or to make any order under section 491 of the Code of Criminal Procedure, 1898, or have any jurisdiction of any kind in respect of any proceedings under this Act.

(2) Nothing in sub-section (1) shall be deemed to affect the power of the Governor General in Council or the Local Government to make orders under Section 401 or 402 of the Code of Criminal Procedure, 1898, in respect of persons sentenced by Commissioners under this Act.

Special rule of evidence.

9. Notwithstanding anything contained in the Indian Evidence Act, 1872, where the statement of any person has been recorded by a Magistrate, such statement may be admitted in evidence in any trial before Commissioners appointed under this Act if such person is dead or cannot be found or is incapable of giving evidence, and the Commissioners are of opinion that such death, disappearance or incapacity has been caused in the interest of the accused.

Rule-making powers of Local Government.

10. The Local Government may, by notification in the local official Gazette, make rules providing for—

(i) the times and places at which Commissioners appointed under this Act may sit;

(ii) the procedure of such Commissioners including the appointment and powers of their President, and the procedure to be adopted in the event of any Commissioner being prevented from attending throughout the trial of any accused person;

(iii) the manner in which prosecutions before such Commissioners shall be conducted, and the appointment and powers of persons conducting such prosecution;

(iv) the execution of sentences passed by such Commissioners;

(v) the temporary custody or release on bail of persons referred to or included in any order made under sub-section (1) of Section 3, and for the transmission of records to the Commissioners; and

(vi) any matter which appears to the Local Government to be necessary for carrying into effect the provisions of the Act relating or ancillary to trials before Commissioners.

Savings.

11. No order under this Act shall be called in question in any court, and no suit, prosecuton or other legal proceeding shall lie against any peson for anything which is in good faith done or intended to be done under this Act.

STATEMENT OF OBJECTS AND REASONS.

In order to provide for special measures to secure the public safety and the defence of British India and for the speedy trial of certain offences the Government of India passed the Defence of India (Criminal Law Amendment) Act, No. IV of 1915. The provisions of this Act were applied *mutatis mutandis* to Mysore by the Defence of India (Emergency) Regulation, V of 1917, as an emergency measure under Section 15 of the Mysore Legislative Council Regulation, 1907. As under that section the Regulation will be in force only up to the 24th February 1918 and as it is found necessary to continue it inforce here as long as the Defence of India (Criminal Law Amendment) Act, 1915 is in force in British India, this Bill is now framed.

GPB—1,235—22-2-1918.

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20. The Indian Christian Marriage Act.
No. XV of 1872 as introduced to Mysore under Notification of the Government of India, Foreign Department, Judicial No. 176 dated 31st December 1875.

21. The Prevention of Cruelty to Animals Regulation.
I of 1895.

22. The Mysore Public Conveyance Regulation.
VII of 1911 and Rules framed thereunder.

23. The Mysore Game and Fish Preservation Regulation
II of 1901.

24. Village Sanitation Regulation.
    I of 1898 and Rules framed thereunder.

25. The Mysore Municipal Regulation.
    VII of 1906.

26. The Mysore Police Regulation
    V of 1908.

THE MYSORE FOREST REGULATION,

XI of 1900, as amended by Regulation IX of 1901.

Seizure of forest produce.

1. A Police officer may seize any forest produce, when there is reason to believe that a forest offence has been committed with respect to it. The seizure shall be immediately reported to the Magistrate having jurisdiction to try the person accused of the offence. (Sec. 45)

Power to arrest without warrant.

2. A Police officer may, without a warrant, arrest any person, reasonably suspected of having been concerned in any forest offence, punishable with imprisonment for one month or upwards, if such person refuses to give his name and address, or gives an incorrect name and address, or is likely to abscond. (Sec. 56).

Power to prevent commission of offences.

3. A Police officer shall prevent and may interfere for the purpose of preventing the commission of any forest offence. (Sec. 57).

Impounding of cattle ~~doing damage.~~

4. A Police officer may seize and impound cattle trespassing into a State, Village or District Forest. (Sec.63).

No. V of 1901, as amended by Regulations IV of 1902, V of 1904 and V of 1906 and VIII of 1913, and Rules framed thereunder.

Search of houses and arrest of persons.

5. When a Police officer not below the rank of a Station-house Officer has reason to believe that an offence under section 55, 57 or 58 of the Regulation has been committed and that the delay in obtaining a search warrant, will prevent the execution thereof, he may, after recording his reasons of the grounds for such belief, by day or by night enter and search any place and may seize anything found therein liable to confiscation, and may search and arrest any person found in such place, whom he has reason to believe to be guilty of any offence under the Regulation. Every person so arrested shall be admitted to bail for appearance before a Magistrate. (Section 31).

Arrest of offenders and seizure of contraband liquor, etc.

6. He may similarly arrest persons commiting the aforesaid offences in any public throughfare or open place other than a dwelling house and seize liquor etc. liable to confiscation (Section 34)

Arrest of persons refusing to give name and residence.

7. A Police officer may arrest without a warrant any person accused of or reasonably suspected of committing an offence and who refuses to give name and address or gives an incorrect name and address (Section 35).

To assist Excise Officers.

8. A Police officer shall be bound to assist the Excise Officer in carrying out the provisions of the Regulation. (Sec.37).

Offences to be reported.

9. A Police officer is bound to give immediate information of offences under the Regulation to an Excise -- Officer. (Section 38)

Person arrested how to be dealt with.

10. A Station-house officer to whom a person arrested under sections 31, 34 or 35 may be brought, shall admit him to bail, to appear when summoned before the Excise Officer having jurisdiction to investigate, or in default of bail shall forward him in custody to such officer (Section 40).

Police to take charge of articles seized.

11. A Station-house officer shall take charge of and keep in safe custody pending the orders of a Magistrate or of an Excise Inspector all articles seized under the Regulation and delivered to him. He shall allow the Excise Officer accompanying the articles to affix his seal and to take samples of them under his own seal. (Section 53)

Closing of shop for the sake of public peace.

12. If a riot or unlawful assembly is apprehended or occurs in the vicinity of any shop selling liquor or intoxicating drug, a Police officer present on the spot may require such shop to be kept closed for such period as may be necessary. (Section 54).

To destroy Ganja Hemp plants in Government unoccupied lands.

13. Police officers shall destroy - Ganja hemp plants of spontaneous growth in Government unoccupied lands (Rule 10 of the Ganja Rules).

THE OPIUM ACT.

I of 1878 as introduced to Mysore Under Notification of the Government of India, Foreign Department, Revenue No.93 I.R., dated the 21st November 1878, and Rules framed thereunder.

Power to enter, arrest and seize Opium, unlawfully kept in any enclosed place.

14. Any officer of Police, of and above the grade of a Head Constable or Jamadar may, on personal knowledge or on information given and recorded in writing, that opium liable to confiscation is manufactured, kept or concealed in any enclosed place, enter such place between sunrise and sunset, and in case of resistance, - break open any door or remove any obstacle and search for and seize any such opium and arrest offenders (Section 14).

Power to seize opium in open places.

15. A Police officer may seize opium or any other thing liable to confiscation in any open place or in transit, and detain and search any person whom he believes to be guilty, of an offence under the act, and if opium is found in his possession, arrest him and any other persons in his - company. (Section 15)

Police, Excise and Revenue Officers to assist each other.

16. The Police, Excise and Revenue Officers are legally bound to assist each other in carrying out the provisions of this act. (Section 17).

Disposal of person arrested or thing seized.

17. Persons arrested and things seized under section 14 or 15 shall be forwarded without delay to the officer in charge of the nearest Police Station, who, as regards their disposal shall at once act in accordance with the Law (section 30)

NOTE.- The quantity of opium or preparations of opium - other than those used for smoking - which a person may possess without a license is three tolas. If the preparation is for smoking, the quantity is one tola (Opium Rules)

Procedure in case of illegal poppy cultivation.

18. In the case of alleged illegal cultivation of poppy, a Police officer of or above the grade of a Head Constable or Jamadar, shall attach the crop and not remove it and shall take bail for the appearance of the cultivator before the Magistrate. (Section 22).

THE MYSORE FOREST REGULATION.

XI of 1900 as amended by Regulation IX of 1901.

To assist Forest officer in the prevention and detection of forest offences.

1. A Police officer is bound to assist a Forest officer demanding his aid, in extinguishing and preventing fire to a State Forest, and in the prevention and detection of forest offences therein. (Section 29)

Seizure of forest produce.

2. A Police officer may seize any forest produce, when there is reason to believe that a forest offence has been committed with respect to it. The seizure shall be immediately reported to the Magistrate having jurisdiction to try the person accused of the offence. (Sec. 45)

Power to arrest without warrant.

3. A Police officer may, without a warrant, arrest any person reasonably suspected of having been concerned in any forest offence punishable with imprisonment for one month or upwards, if such person refuses to give his name and address, or gives an incorrect address, or is likely to abscond. (Section 56)

Power to prevent commission of offences

4. A Police officer shall prevent and may interfere for the purpose of preventing the commission of any forest offence. (Section 57)

Impounding of cattle doing damage

5. A Police officer may seize and impound cattle doing damage to a public plantation. (Section 62)

2. THE MYSORE EXCISE REGULATION

No. V of 1901, as amended by Regulations IV of 1902, V of 1904 and V of 1906 and VIII of 1913. and Rules framed thereunder

Search of houses and arrest of persons

1. When a Police officer not below the rank of (an Inspector, or) a Stationhouse Officer has reason to believe that an offence under section 55, 57 or 58 of the Regulation has been committed and that the delay in obtaining a search warrant, will prevent the execution thereof, he may, after recording his reasons of the grounds for such belief, by day or by night, enter and search any place and may seize anything found therein liable to confiscation, and may search and arrest any person found in such place, whom he has reason to believe to be guilty of any offence under the Regulation. Every person so arrested shall be admitted to bail for appearance before a Magistrate. (Section 31)

Arrest of offenders and seizure of contraband liquor, etc.

2, He may similarly arrest persons committing the aforesaid offences in any public thoroughfare or open place other than a dwelling house and seize liquor etc., liable to confiscation (Section 34)

accused of, or reasonably suspected of committing, an offence and who

Arrest of persons refusing to give name and residence

3. A Police officer may arrest without a warrant any person refusing to give name and address or giving false name and address.* (Section 35)

* At the end of the abstract add "if he is accused or reasonably suspected of committing an offence under this Regulation" to bring out the idea fully.

To assist Excise officers

4. A Police officer shall be bound to assist the Excise officer in carrying out the provisions of the Regulation (Section 37)

Offences to be reported

5. A Police officer is bound to give immediate information of offences under the Regulation (to his superior or) to an Inspector (Section 38)

Excise officer

The words "to his Superior or" may be omitted and "Excise Inspector" substituted for "Ex. officer" as a police officer should under the Section give information only to an Ex. officer.

yes.

A note may be added that he must report such cases to his Superior Officers also.

not necessary.

Person arrested how to be dealt with.

6. A Stationhouse officer, to whom a person arrested under sections 31, 34 or 35may be brought, shall admit him to bail, to appear when summoned before the Excise officer having jurisdiction to investigate, or in default of bail, shall forward him in custody to such officer (Section 40)

Police to take charge of articles seized.

7. A Stationhouse officer shall take charge of and keep in safe custody, pending the orders of a Magistrate or of an Excise Inspector all articles seized under the Regulation and delivered to him. He shall allow the Excise officer accompanying the articles to affix his seal and to take samples of them under his own seal, (Section 53)

Closing of shop for the sake of public peace

8. If a riot or unlawful assembly is apprehended or occurs in the vicinity of any shop selling liquor or intoxicating drug, a Police officer present on the spot may require such shop to be kept closed for such period as may be necessary. (Section 54)

To destroy Ganja hemp plants in Government unoccupied lands

9. Police officers shall destroy Ganja hemp plants of spontaneous growth in Government unoccupied lands (Rule 10 of the Ganja Rules)

3. THE OPIUM ACT

I of 1878, as introduced to Mysore Under Notification of the Government of India, Foreign Department, Revenue No. 93 I.R., dated the 31st November 1879. and Rules framed thereunder.

Power to enter, arrest and seize Opium, unlawfully kept in any enclosed place.

To be made more explanatory
Between the words "concealed in" and "any enclosed place", the words "building, vessel or" may be inserted.
Between the words "such opium" and "and" add "and all materials used in its manufacture and any other thing liable to confiscation."
Not necessary.

1. Any officer of Police of and above the grade of a Head Constable or Jamadar may, on personal knowledge or on information given and recorded in writing, that opium liable to confiscation is manufactured, kept or concealed in any enclosed place, enter such place between sunrise and sunset, and in case of resistance, break open any door or remove any obstacle and search for and seize any such opium and arrest offenders (section 14)

Power to seize opium in open places

Add as another para -
"A police officer is legally bound to assist an Excise or Revenue officer in carrying out the provisions of this Act."
as section 17 refers to a duty on the part of the Police.
Yes. The addition may be as follows:
3. The Police, Excise and Rev officers are legally bound to assist each other in carrying out the provisions of this Act.

2. A Police officer may seize opium or any other thing liable to confiscation, in any open place or in transit, and detain and search any person whom he believes to be guilty, of an offence under the Act, and if opium is found in his possession, arrest him and any other persons in his company. (Section 15)

Disposal of person arrested or thing seized.

Note may be made to include Rule III (1)(c)
The quantity of opium or preparations of opium - other than those used for smoking - which a person may possess without a license is three tolas. If the preparation is for smoking, the quantity is one tola.

3. Persons arrested and things seized under section 14 or 15 shall be forwarded without delay to the officer in charge of the nearest Police Station, who as regards their disposal, shall at once act in accordance with the law (Section 20)

NOTE: The quantity of opium which a

person may possess without a license is 1 tola in weight. (Opium Rules)

Procedure in case of illegal poppy cultivation.

4. In the case of alleged illegal cultivation of Poppy, a Police officer of or above the grade of a Head Constable or Jamadar, shall attach the crop and not remove it and shall take bail for the appearance of the cultivator before the Magistrate. (Section 22)

The Mysore Arms Regulation.

Para 2. As section 8 does not require that a Police officer should be specially empowered before he can exercise the power under the sec. the words "specially empowered" in this para may therefore be omitted.

Para 3. As section 11 ~~requires~~ enjoins the deposit of not only arms, but also ammunition and military stores, after the word "arms" the words "ammunition or military stores" may be inserted.

Para 4. The latter part of section 15, creates an offence distinct from the offences enumerated in this para. Therefore the following may be added at the end:--

(9) concealing or attempting to conceal, arms, ammunition or Military stores in a search under section 20 (sec. 15).

Para 6. The latter portion of this para seems to imply that Patels and Thalavars may possess arms only for the discharge of their Police duties. The schedule to the Arms Rules only lays down certain restrictions for their personal use. Therefore the words "provided ..... duties" may be omitted and the words "subject to restrictions prescribed by the Government for the discharge of their Police duties" may be inserted in ~~this~~ their place.

(6)

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L. The Mysore Arms Regulation, VI of 1890 and Rules framed thereunder.

Arrest of persons carrying arms under suspicious circumstances.

1. A Police officer may arrest without warrant any person found carrying, under suspicious circumstances, any arms, ammunition or military stores, for an unlawful purpose, and take such arms, ammunition or military stores. The arrested person and property shall without unnecessary delay be placed before a magistrate.

(Section 7).

Disarming of persons.

2. A Police officer, specially empowered, may disarm any person going armed without a license or in contravention of its terms. (Section 8).

The words "specially empowered" may be omitted as sec 8 does not require a p.o. to be specially empowered.

Yes

NOTE- Persons, whether licensed or not, are forbidden to go armed in Railway - carriages, to fairs, religious processions or other public assemblies, unless specially authorised by the Magistrate ~~officer~~ granting the license.

(Rules 15,16, & 18).

Deposit of Arms.

3. Arms, ammunition or military stores of which possession has become unlawful by the cancellation or expiry of a license, shall be deposited at a Police station. If the owner does not produce a license, within three years, the same shall be forfeited to Government. (Section 11).

After the word "Arms" add "ammunition or military stores" as ammunition and mily stores are also enjoined in the Act-

Yes.

4. The following offences are cognizable by the Police-

(1) Manufacturing, converting, selling or keeping any arms, ammunition or military stores, without a license. (Sec.14 (a).)

(2) Failing to give notice to a District Magistrat or ~~and~~ Station House Officer, of sale of an arm which he lawfully possesses to an unexempted person. (Sec. 14 (b)).

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(3) Transporting any arms, ammunition or military stores without a license. (Sec.14(c)).

(4) Going armed without a license or in contravention of the terms of a license. (Sec.14(d).

(5) Having or possessing any arms, ammunition or military stores without a license. (Sec.14(e).

NOTE- Previous sanction of the District Magistrate is necessary for the institution of proceedings under Section 14, clause (e).(Sec 24)

Section 15 latter part creates an offence distinct from those enumerated. Hence add the following as no 9.

(9) Concealing or attempting to conceal arms, ammunition or military stores in a search under Section 20 (Section 15)

Yes.

(6) Intentionally making any false entry in the registers pertaining to the manufacture stock and sale of arms, ammunition and military stores. (Sec.14(f))

(7) Intentionally failing to exhibit his stock or accounts. (Sec.14(g))

(8) Failing to deposit arms, ammunition or military stores after cancellation or expiry of license. (Sec.14(h).)

(9))

Information to Police of offences under the Regulation.

5(a) Every person aware of the commission of any offence under the Regulation shall give information of the same to the nearest Police officer or Magistrate. (Sec.23).

5(b) Every employee of a Railway or public carrier shall give information to the nearest Police officer regarding any box, package or bale suspected to contain arms, ammunition or military stores in respect of which an offence under the Regulation has been committed. (Sec.23.)

Exemptions.

6. Police officers are exempted from the prohibitions and directions contained in sections 8 to 11 provided that the arms or ammunition carried or possessed is for their own personal use. (Rule 3 & Schedule

The words (provided.... duties) may be omitted and "subject to restrictions prescribed by the Govt for the discharge of their police duties" substituted therefor as the Schedule to Arms Rules lays down certain restrictions.

The yes this the difference in letter

(ii) Patels and Talavars are similarly exempt but subject to such restrictions as the Govt may impose in respect of the arms necessary provided that the arms are for the discharge of their Police duties.) (Rule 3 ~~of~~ and schedule I)

NOTE- A village Patel may have only one fire arm without license. (Schedule I

Inspection of arms, etc., and accounts relating thereto.

7. A Police officer not below the rank of Inspector may enter any premises within his jurisdiction in which arms, ammunition or sulphur are manufactured or kept, and inspect the stock and accounts of receipts and sales of arms, ammunition and military stores. (Rule 13).

Licenses to be produced on demand.

8. A licensee under the rules is bound to produce his license when called upon to do so by a Police officer of and above the rank of a Station-House Officer. (Rule 26).

See also The Arms Manual in which the regulations and the rules are reproduced in extenso.

The Mysore Explosives Regulation.

Para 1. Section 7 refers to accidents occurring not only in a "a place" but also in "a carriage" containing an explosive. The words "or the person in charge of "a carriage containing an explosive" may therefore be inserted after the word "place" in the first line and the words "or in such carriage" inserted after the word "explosive", in the 5th line.

Para 2. As section 11 refers to an act which is punishable, after the word "act" in the second line, the words "amounting "to an offence under this Regulation or the rules thereunder and " may be inserted.

Rule 125 (3) of the Explosives Rules requires the Police officer making a seizure, to report the fact to the District Magistrate. The following sentence may therefore be added at the end of the last para:--

"He shall report the seizure to the District Magistrate".

5 The Mysore Explosives Regulation, II of 1888 and Rules framed thereunder.

Notice of accidents.

"or the person in charge of a carriage containing an explosive" may be added after "place" in first line, and "or in such carriage" after "explosive" in the 5th line.

Yes.

The occupier of a place shall forthwith give to the officer in charge of the nearest Police station, notice of any accident occurring in such place in connection with the manufacture, possession or use of any explosive, attended with loss of human life or serious injury to person or -- property. (Sec.7).

Arrest of persons committing dangerous offences.

After "act" in line 2 add "amounting to an offence under this Regulation or the rules thereunder and", as an act which is punishable is referred to in the section.

Yes.

A Police officer may arrest, without a warrant, any person found committing any act tending to cause explosion ~~by~~ or fire in a place where an explosive is manufactured or stored or any railway or carriage. The person, shall, without delay, be produced before a Magistrate. (Sec.11)

Issue of permit for possession of fireworks.

A Police officer not below the rank of an Assistant Superintendent of Police may issue a permit in a municipality for the possession of fireworks by non-licensees, in any quantity exceeding 50 lbs. but not more than 200 lbs.

Provided that .

(a) the same is for immediate use and not for sale,

(b) that the possession is for a period not exceeding 14 days, and

(c) that the explosive is deposited in a substantial and safe receptacle. (Rule 58)

Production of licenses.

Every license-holder shall be bound to produce the license when demanded by a Police officer not below the rank of ~~an~~ Inspector. (Rule 51).

P.T.O.

Inspection and seizure of explosives.

Rule 125 (3) requires the p.o. making a seizure to report the fact to the Distt Magte. Hence add –
"He shall report the seizure to the Distt. Magistrate."

A Police officer of and above the rank of ~~an~~ Inspector may enter, inspect and examine any place where an explosive is manufactured, possessed or sold under a license. He may similarly examine and seize an explosive which is illicitly manufactured, possessed or sold. (Rule 125).

6. THE MYSORE FACTORIES REGULATION III of 1914 and Rules framed thereunder.

Accidents resulting in death

In the case of any accident resulting in death, notice of such accident shall be sent by telegram, telephone or special messenger within one hour of the occurrence, to the officer in charge of the Police station by the manager of the factory (Rule 25

7. THE MYSORE POISONS REGULATION

No. V of 1910 and Rules framed thereunder.

Power to issue search warrants

1. The Inspector-General of Police may issue a warrant for the search of any place in which any poison is suspected to be possessed or sold in contravention of the Regulation, or any poison liable to confiscation is kept or concealed. (Section 8)

Inspection of premises stock and registers

2. A Police officer of or above the rank of a sub-inspector may, at any time, visit the premises of a person licensed under Rule 3 to possess and sell white arsenic or other poison and inspect the stock as well as the sale and stock registers maintained under Rules 11 and 12. (Rule 13)

The Mysore Railways Regulation.

Para 3. Section 114 authorises a Police officer to make arrests not only in connection with certain offences but also when a person fails or refuses to pay excess charge etc.under section 95. Therefore between the words "Rule I" and "who" the following clause may be inserted. "or failing or refusing to pay any excess charge etc under section 95"

The Motor Vehicles Regulation.

Para 9-- As Rule 17 requires the name of the 'driver' and not that of the ~~officer~~ owner ~~being shown in the register of the 'owner~~' being shown in the register the word "driver" may be inserted in place of the word "owner"

IV of 1894

Cognisable offences under the Act

1. The following offences are cognisable by the Police in which the Police may arrest the offender without a warrant. (Sec 113)

(i) Railway servant found drunk while on duty. (Sec 82)

(ii) Railway servant endangering the safety of persons by disobeying any rule or order or by any rash or negligent act or omission. (Section 83)

(iii) A male person entering carriage or other place reserved for females. (Sec.101)

(iv) A person found drunk or committing nuisance on a railway (Section 102)

(v) Obstructing a railway servant in his duty (Section 103)

(vi) Maliciously wrecking or attempting to wreck a train (Section 108)

(vii) Maliciously hunting or attempting to hunt persons travelling by railway (sec. 109)

(viii) Endangering safety of persons travelling by railway by wilful act or omission (Section 110)

(ix) Endangering safety of persons travelling by railway by rash or negligent act or omission. (Section 111) and

(x) Children committing acts endangering safety of persons travelling by railway (Section 112, clause 1)

Arrest of offenders

3. The Police officer making the arrest shall, with the least possible delay,

produce the offender before a Magistrate having jurisdiction to try the offender or commit him for trial. (Section 113)

Arrest of persons likely to abscond or unknown

3. A Police officer may likewise arrest a person committing an offence other than an offence mentioned in Rule 1, who refuses to give his name and address, or gives an incorrect name and address or is likely to abscond; such person shall be admitted to bail under the provisions of the Criminal Procedure Code. (Section 114)

Between the words "Rule 1" and "who" add "or failing or refusing to pay any excess charge be under Section 95, so a p.o. may also arrest a person who fails or refuses to pay excess charge be under Section 95.

Yes. may be arrested

produce the offender before a Magistrate having jurisdiction to try the offender or commit him for trial. (Section 113)

Arrest of persons likely to abscond or unknown

3. A Police officer may likewise arrest a person committing an offence other than an offence mentioned in Rule 1, who refuses to give his name and address, or gives an incorrect address or is likely to abscond; such person shall be admitted to bail under the provisions of the Criminal Procedure Code. (Section 114)

9

THE MYSORE TRAMWAYS REGULATION

~~No.~~ II of 1906

Evading payment of proper toll

When any person evades payment of proper toll and refuses to give his name and address or gives an incorrect name and address he may be arrested by a servant of the promoter lessee or licensee of the tramway and taken to the nearest police station. Such person shall be forwarded by the Police to the nearest magistrate unless his true name and address are in the meanwhile ascertained, in which case he shall be released on his own bond for appearance before a magistrate, if so required. (Sec.31)

Power of Police officer to regulate traffic not affected by the Regulation

The power of a Police officer to regulate traffic on roads along which a tramway is laid is not affected by anything contained in the Regulation. (Sec 41)

10 THE MYSORE MOTOR VEHICLES REGULATION IV of 1913 and Rules framed thereunder.

Registration of Motor vehicles

The following provisions require to be noted by the Police:-

No owner of a motor vehicle shall drive the same on a public road or a thoroughfare unless it has been registered under the Regulation or any similar enactment in force in British India or the Civil & Military Station, Bangalore. (Section 3)

NOTE: The Inspector-General of Police shall be a registering officer. (Section 2)

Driver's license

2. Every person who drives a motor vehicle shall obtain a driver's license (section 4).

Prohibition of driving without license

3. No person shall drive without such license or under a license granted under a similar enactment in force in British India or in the Civil & Military Station, Bangalore. (Section 10)

Production of license

4. The driver of a motor vehicle shall produce his license upon demand by any Police officer above the rank of a constable. (Sec.6)

Prohibition of reckless driving

5. Reckless driving is prohibited (Rule 9)

Stoppage of motor vehicle for regulation of traffic

6. Every person in charge of a motor vehicle shall obey all directions of the Police officers posted for regulating traffic and stop the vehicle if required. He shall, if demanded, leave his name and address as also of the owner. (Section 7 and Rule 11)

To carry lights

7. He shall carry lights during the period between half an hour after sunset and one hour before sun-rise. (Section 8)

NOTE: Three lights, two white in front and one red in the rear are required to be carried for all vehicles other than motor cycles for which only one white light in front is necessary. (Rule 13)

To carry horns

8. Every motor vehicle shall carry a horn but not a siren (Rule 12)

Register of drivers in charge of motor vehicles

The word "driver" may be inserted in place of "owner" as the name of the driver is shown in the register.

Yes. This is a typing mistake

9. A manufacturer or dealer in motor vehicles shall keep a register showing the name of the ~~owner~~ driver in charge of each, when allowed to leave his premises and the hours and dates on which he was in charge of the vehicles This register shall be open to inspection by Police officers of or above the rank of a Sub Inspector. (Rule 17)

The Mysore Lunacy Regulation.

As section 32 of this Regulation authorises a Police officer to recapture a lunatic escaping from the asylum and deliver him at the asylum, another para may be added as follws:--

Recapture of lunatics after escape.

"Lunatics escaping from the asylum may be retaken by a Police officer and conveyed to the asylum for detention. Such power should not be exercised after one month after the escape, except in the case of Criminal Lunatics". (Sec. 32).

The Prevention of Juvenile Smoking.

Para 1. The word "apparently" contained in section 4 but omitted in this para may be retained with advantage, as the Police officer making the seizure need not concern himself with finding out the exact age of the person.

THE MYSORE LUNACY REGULATION

I of 1916.

Arrest of wandering and dangerous lunatics

A Station-House officer may arrest any wandering or dangerous lunatic found within the limits of his station. The arrested person shall be atken forthwith before a magistrate. (Section 11(1))

Report to Magistrate of uncared for or ill-treated lunatics

A Station-House officer shall forthwith report to a Magistrate the existence within his station limit of any uncared for or ill-treated lunatic. (Section 11(2))

Another para may be added as under
Section 32 a p.o. is authorised to recapture a lunatic escaping from the Asylum.

Recapture of lunatics after escape.

"Lunatics escaping from the asylum may be retaken by a police officer and conveyed to the asylum for detention. Such power should not be exercised after one month after the escape, except in the case of criminal lunatics." (Sec 32).

45'

12 THE MYSORE EMIGRATION REGULATION

I of 1913

~~May~~ Demand production of license	A Station-House officer may call upon any recruiter required by law to possess a license ~~and~~ to produce such license. (Section 4)
~~May~~ Demand copy of ~~the~~ terms of agreement offered.	A Station-House officer may similarly call upon such recruiter to produce a copy of the terms of agreement he is authorised to offer (Sec.6)
Unlawful recruitment	A Police officer may arrest without warrant any person, other than a person authorised under section 4 of the Regulation who unlawfully recruits. (Sec 11)

13 THE MYSORE REGISTRATION REGULATION

No. I of 1903

Cognizable offences

The following offences under the Regulation are cognisable by the Police:-

(a) Registering officer or any one employed in his office incorrectly endorsing, copying, translating or registering documents with intent to injure. (Section 81)

(b) Intentionally making a false statement whether on oath or not before the Registering officer.

(c) Intentionally delivering to such officer in a proceeding under section 19 or 21 a false copy or a false translation of a document or a false copy of a map or plan.

(d) Falsely personating another and insuch assumed character presenting any document or making any admission or statement or causing any summons to be issued or doing any other act.

(e). Abetting within the meaning of the Indian Penal Code anything punishable under the Regulation. (Section 82)

14 The MYSORE POST OFFICES REGULATION

I of 1899 applying the provisions of the Indian Post Office Act, VI of 1898.

Cognisable offences.

1. The offences of theft, dishonest misappropriation, secretion, destruction, ~~destroying~~ or throwing away, of any Postal article, by an employee of the Post Office, are cognisable ~~offences~~ by the Police. (Section 52) ~~Indian Post Office Act, VI of 1898)~~.

NOTE: The expression "Postal article" includes a letter, post-card, newspaper, book, pattern or sample packet, parcel and every article or thing, transmissible by post. (Section 2) ~~Do)~~

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THE MYSORE TELEGRAPHS REGULATION

IV of 1899 applying the provisions of the Indian Telegraph Act XIII of 1885.

Cognisable offences ~~under the Act~~.

1. The following offences are cognisable by the Police:-

(i) Intentionally damaging or tampering with telegraphs. (Section 25)

(ii) Telegraph officer or other official making away with or altering or unlawfully intercepting or disclosing messages or divulging purport of signals (Section 26)

(iii) Telegraph officer fraudulently sending messages without payment (Section 27)

(iv) Sending fabricated message (Section 28) and

(v) Attempting to commit any of the offences, i to iv. (Section 32)

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THE MYSORE MINES REGULATION

IV of 1906

Cognisable offences

1. The following offences are cognisable by the Police:- (Sec 20)

(i) Purchasing, conveying or keeping of mining material without written permission (Section 5)

(ii) 2. Unlawfully possessing mining materials (Section 6)

(iii) 3. Buying or selling unwrought gold or carrying on a profession of a goldsmith without a license (Section 7)

(iv) 4. Gold-dealer or goldsmith not maintaining the prescribed account books (Section 10)

(v) 5. Goldsmiths dealing with gold, etc., within three days of receipt (Section 11)

(vi) 6. Unlawfully possessing unwrought gold (Section 12)

(vii) 7. A tenant or occupier of premises possessing unwrought gold or mining material (Sec. 16)

(viii) 8. Unemployed person ordered off any mine or cooly colony remaining in, or returning to, such mine or colony (Section 17) and

(ix) 9. Hawker or pedlar carrying on business without a license. (Section 18)

Inspection of Gold-dealer's register

2. A Police officer not below the rank of a chief constable or any Police officer specially authorised in this behalf by the Superintendent of Police or by ~~the~~ a 1st class magistrate may inspect at any time a gold-dealer's or goldsmith's register together with any other article or items of gold referred to therein. (Section 10)

Power to search

3. A Police officer not below the rank of

an officer in charge of a Police station may search any person or any place for the discovery of any mining material, unwrought gold, or other thing in respect of which an offence under the Regulation is suspected to have been committed (Section 15)

17

THE COFFEE STEALING PREVENTION ACT

VIII of 1878 (Madras), as introduced to Mysore by Notification of the Government of India, Foreign Department, Judicial No.130 I.J. dated 19th June 1879.

Power to require the production of Account books.

1. A Police officer, not below the rank of an officer in charge of a Police Station, may, when generally or specially authorised by a Magistrate, demand the production of Account books of coffee buyers. (Section 6.

[~~There is no other duty imposed on the Police by this Act. May probably be omitted.~~]

18 THE CATTLE TRESPASS ACT.

~~No.~~ I of 1871, as amended by Regulation VIII of 1892.

Police to aid seizures.

1. ~~All~~ officers ~~of Police~~ shall aid the cultivator or occupier of land, in preventing resistance to seizure of cattle found trespassing on his land and in preventing the rescue of cattle so seized from persons making such seizures (Section 10)

Cattle damaging public roads, etc.

2. Officers ~~of Police~~ may seize cattle damaging public roads, canals, embankments and the like, and shall send them to the Pound within 24 hours after seizure. (Section 11)

Procedure if not claimed within a week.

3. An officer in charge of a Police Station, in the absence of any other officer specially appointed by the District Magistrate in this behalf, shall issue and cause to be proclaimed by beat of drum in the village and at the market place nearest the place of ~~xxixx~~ seizure, the notice required by law regarding impounded cattle, not claimed within 7 days, and sell them if they remain unclaimed for a further period of 7 days. (Section 14) Such notice shall state --

(i) the name and description of the cattle;

(ii) the place where they were seized;

(iii) the place where they are impounded.

Police officers not to purchase at sales under the Act.

4. No Police officer shall, directly or indirectly, purchase any cattle at a sale, under this Act. (Section 19)

NOTE: In this Act, the term "Officer of Police" includes also village watchman. (Sec 3)

19

THE PREVENTION OF JUVENILE SMOKING REGULATION

XI of 1911.

Seizure of tobacco

the word "apparently" contained sec. 4 but omitted in the summary may be retained after "person" in 2nd line, as the p.o. making the seizure need not concern himself with the age of the person.

A Police officer shall seize any tobacco in the possession of any person apparently under the age of 16 whom he finds smoking or chewing or taking in as snuff, tobacco in any street or public place. (Section 4)

Tobacco seized how dealt with

The articles seized and the persons from whom they were seized shall be forthwith taken to the nearest Police station. The Station-House officer shall take down the name and address of the person's parent or guardian and ascertain if he is a pupil of any public school and at once set him free (Section 5)

Notice to be given after seizure

The Station-House officer shall then send a notice of such seizure to the parent or guardian and to the Headmaster of the school (Section 6)

Person found with tobacco how to be dealt with

If a person once released under section 5 is again apprehended after the lapse of three months from the date of issue of notice under section 6, he may be sent in custody before the nearest magistrate unless the parent or some respectable person undertakes in writing to produce him whenever required, in which case he shall be forthwith released. (Section 7)

NOTE: 1. The term 'Police officer' shall include any member of the Regular or Village Police Force duly appointed (~~Rule~~ See 2)

2. The term 'Tobacco' shall mean tobacco cut or uncut and includes any preparation or mixture of tobacco with other substances for the purpose of smoking or chewing or taking in as snuff (~~Rule~~ See 2)

Prevention of Cruelty to Animals Regulation.

Para 3. Section 10 lays down an important condition before the destruction of the animal can be ordered. It is not enough that an offence has been committed. The following words contained in the section may therefore be added at the end of this para:--
"if in his opinion its sufferings are such as to render such a direction proper".

[illegible]
Inspector General of Police.

20 THE INDIAN CHRISTIAN MARRIAGE ACT

No. XV of 1872, as introduced to Mysore Under Notification of the Government of India, Foreign Department, Judicial No.178, dated 31st December 1875.

Offences cognizable by the Police.

1. The offences against the Act which are cognizable by the Police are:-

(i) Solemnising marriage without due authority. (Section 68)

(ii) Solemnising marriage out of proper time or without witnesses (Section 69)

(iii) Solemnising without notice, or within 14 days after ~~xxx~~ notice, marriage with minor (Section 70)

(iv) A Marriage Registrar

(a) issuing certificate or marrying without publication of notice

(b) solemnising marriage after expiry of certificate

(c) solemnising marriage with minor within 14 days without authority of Court, or without sending copy of notice, and

(d) issuing certificate against authorised prohibition (Section 71)

(v) Persons authorised to solemnise marriage (other than Clergy of Churches of England, Scotland or Rome):-

(a) issuing certificate, or marrying without publishing notice, or after expiry of certificate

(b) issuing certificate for, or solemnising marriage with minor, within 14 days after notice

(c) issuing certificate authorisedly forbidden, and

(d) solemnising marriage auhtorisedly forbidden. (Section 73)

(vi) Unlicensed person granting certificate pretending to be licensed (Section 74) and

(vii) Destroying or falsifying register books. (Section 75)

Limitation for Prosecutions under the Act.

2. The prosecution for every offence, punishable under the Act, shall be commenced within two years after the commission of the offence. (Su 76)

THE PREVENTION OF CRUELTY TO ANIMALS REGULATION

I of 1895

Search Warrants.

1. If a District Superintendent of Police upon information in writing, or after such inquiry as he thinks necessary, has reason to believe that a person (a) practises phuka on a cow (Section 4), or (b) kills an animal with unnecessary cruelty (Section 5), or (c) employs an animal unfit for labour (Section 6), he may ~~xxxx~~ himself search or issue a warrant authorising any Police officer above the rank of a constable to search the place (Section 8).

Limitation for prosecution

2. A prosecution for an offence against the Regulation, shall not be instituted after the expiration of 3 months from the date of the com ission of the offence. (Section 9)

Destruction of suffering animals.

3. When a District Superintendent of Police has reason to believe that an offence against the Regulation has been committed in respect of any animal, he may direct the immediate destruction of the animal (Section 10)

As an important condn is laid down in Sec. 10. the following may be added at the end of the para - "If in his opinion its sufferings are such as to render such a thing proper."

22 The Mysore Public Conveyances Regulation, VII of 1911 and Rules framed thereunder.

Inspection of public conveyances

1. A Police officer not below the rank of Inspector may, at any time, between sunrise and sunset, enter any premises and inspect any public conveyance, animal or harness and the owner or his agent shall afford every facility therefor. (Rule 5)

Stoppage of conveyances for inspection.

2. He may also stop a public conveyance while in motion, for purposes of the said inspection and the driver shall stop and afford every facility for such inspection. (Rule 6)

Prohibition against the use of unfit animals and conveyances.

3. He may in writing prohibit the use, for a public conveyance, of any animal which he considers unfit for such use by reason of disease, infirmity, wound, sore or other cause either permanently or temporarily for a specified period. (Rule 7).

Conveyances to which inspection applies.

4. The scope of the inspections shall extend to all public conveyances plying for hire on the following roads and all towns and villages situated on or adjacent to them.

Bangalore District.—
- Bangalore-Chikballapur road.
- Bangalore-Magadi road.
- Bangalore-Hosur road.
- Whitefield-Hoskote road.

Tumkur District.—
- Tumkur-Sira road.
- Tumkur-Kunigal road.
- Tumkur-Maddagiri road.
- Chiknayakanhalli-Banasandra road.

Kolar District.—
- Kolar-Chikballapur road.
- Kolar-Bowringpet road.
- Kolar-Mulbagal road.
- Chikballapur-Bagepalli road.
- Chikballapur-Dodballapur road.

Mysore District.—
- Mysore-Mercara road.

Mysore District.—
- Maddur-Bluff road.

Hassan District.—
- Arsikere-Hassan-Saklespur road.

Shimoga District.—
- Shimoga-Sagar road.
- Holalkere-Channagiri road.
- Shimoga-Tirthahalli road.
- Shimoga-Honnali road.
- Shimoga-Shikarpur road.
- Shikarpur-Shiralkoppa road.

Kadur District.—
- Tarikere-Koppa road.
- Chikmagalur-Mudgere road.
- Chikmagalur-Koppa road.

Chitaldrug District.—
- Chitaldrug-Holalkere road.
- Chitaldrug-Challakere road.
- Chitaldrug-Hiriyur road.

(Notf. No J.3627 - Legis 21-13-2 dated 5th June 1914)

NOTE- 1. No owner or driver of a public conveyance shall use such conveyance for hire unless the carriage is in good condition or repair and unless the animal and harness are in good and serviceable condition. (Rule 3)

2. No person who is less than 18 years of age shall drive a public conveyance. (Rule 4).

23. THE MYSORE GAME AND FISH PRESERVATION REGULATION

II of 1901 and Rules framed thereunder

Arrest without warrant.

Power to demand production of licenses.

1. A Police officer (including a Constable) may arrest without a warrant any person who commits, in his view, any offence punishable under the Regulation, or the Rules thereunder, and who refuses to give his name and address or gives an incorrect name and address (Section 11)

2. A Police officer may call upon any person holding a license granted under the Game Rules to produce the same and shall take delivery of it at the end of the calendar year for which the license is granted, when it should be delivered up by the licensee. (Rule 12) ~~of the Game Rules)~~

~~[No. 1 is an inherent power of the Police. No. 2 is unimportant. Therefore, they drop altogether.]~~

perhaps a list of acts constituting an offence under the Reg: may be added as a note to Rule 1.

The Nuisance

24 VILLAGE SANITATION REGULTAION

I of 1898 and Rules framed thereunder.

Inspection of villages during epidemics

A District Police officer may inspect and report upon the sanitary condition of villages and give instructions to the sanitary agency in the matter of the observance of the rules during the prevalence of epidemic diseases (Rule 7)

25 THE MYSORE MUNICIPAL REGULATION

VII of 1906

Power of Police officers to arrest

1. A Police officer may arrest any person committing in his view any offence against any of the provisions of the Regulation or of any bye-law thereunder. If such person refuses to give his name and address or gives an incorrect name and address, such person may be detained in the Station-house, until his name and address shall be correctly ascertained, but not in any case for more than 24 hours. (Sec 168)

To give information of offences and assist Municipal officers

2. A Police officer shall give immediate information to the Municipal Council of the commission of any offence against the provisions of the Regulation, or of any bye-law thereunder. He shall also assist all Municipal officers and servants in the exercise of their lawful authority (Section 168)

21.-26

271

The Mysore Police Regulation,

V of 1908.

(This may go in extenso.)